

# HOUSE JOURNAL

OF THE

## Forty-Fifth Legislature

### INDEX—VOLUME II

First Extraordinary Session, May 10 through  
June 21, 1977 ..... pages 1352 through Tables  
and General Index

Compiled, Edited and Indexed by  
Dean R. Foster, *Chief Clerk*  
Eljo Sutherland, *Minute Clerk*



## SIXTY-FIRST DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Tuesday, May 10, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bonnie Bergstrom and Bill Bertram. Prayer was offered by Reverend George 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.

### MESSAGES FROM THE SENATE

May 9, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 199,  
HOUSE BILL NO. 755,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 9, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 506,  
HOUSE BILL NO. 613,  
HOUSE BILL NO. 852,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### REPORTS OF STANDING COMMITTEES

May 6, 1977

HOUSE BILL NO. 1009, Prime Sponsor: Representative Sommers, pertaining to revenue and taxation. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien.

To Committee on Rules for second reading.

May 9, 1977

SENATE BILL NO. 2002, Prime Sponsor: Senator Beck, prohibiting controlled substances in state penal institutions. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Tilly.

To Committee on Rules for second reading.

May 5, 1977

SUBSTITUTE SENATE BILL NO. 2107, Prime Sponsor: Senator Sellar, allowing increased occupancy of drinking establishments under state building code. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Hansen, Owen, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

May 6, 1977

SUBSTITUTE SENATE BILL NO. 2244, Prime Sponsor: Senator Henry, revising laws governing car dealers and salesmen. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 10 insert an additional section as follows:

\*Section 1. Section 3, chapter 74, Laws of 1967 ex. sess. as last amended by section 2, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.70.011 are each amended to read as follows:

As used in this chapter:

(1) 'Vehicle' means and includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

(2) 'Motor vehicle' shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, and which is required to be registered and titled under Title 46 RCW, Motor Vehicles.

(3) 'Vehicle dealer' means any person, firm, association, corporation, or trust, not excluded by subsection (4) of this section, engaged in the business of buying, selling, exchanging, offering, brokering, leasing with an option to purchase, auctioning, soliciting, or advertising the sale of new(;) or used vehicles, or providing or licensing for use facilities and/or services for compensation of any kind which bring together potential buyers and sellers: PROVIDED, That vehicle dealers shall be classified as follows:

(a) A 'motor vehicle dealer' shall be a vehicle dealer that deals in new and used motor vehicles;

(b) A 'mobile home and travel trailer dealer' shall be a vehicle dealer that deals in mobile homes or travel trailers, or both;

(c) A 'miscellaneous vehicle dealer' shall be a vehicle dealer that deals in motorcycles and/or vehicles other than motor vehicles or mobile homes and travel trailers.

(4) The term 'vehicle dealer' does not include:

(a) Receivers, trustees, administrators, executors, guardians, or other persons appointed by, or acting under a judgment or order of any court; or

(b) Public officers while performing their official duties; or

(c) Employees of vehicle dealers who are engaged in the specific performance of their duties as such employees; or

(d) Any person engaged in an isolated sale of a vehicle in which he is the registered or legal owner, or both, thereof.

(e) Any person, firm, association, corporation, or trust, engaged in the selling of equipment other than vehicles, used for agricultural or industrial purposes.

(5) 'Vehicle salesman' means any person who for any form of compensation sells, auctions, leases with an option to purchase, or offers to sell or to so lease vehicles on behalf of a vehicle dealer.

(6) The term 'department' means the department of motor vehicles which shall administer and enforce the provisions of this chapter.

(7) 'Director' means the director of the department of motor vehicles.

(8) 'Manufacturer' means any person, firm, association, corporation, or trust, resident or nonresident, who manufactures or assembles new and unused vehicles and shall further include the terms:

(a) 'Distributor' which means any person, firm, association, corporation, or trust, resident or nonresident, who in whole or in part offers for sale, sells, or distributes any new and unused vehicle to vehicle dealers or who maintains factory representatives.

(b) 'Factory branch' which means a branch office maintained by a manufacturer for the purpose of selling or offering for sale, vehicles to a distributor, wholesaler, or vehicle dealer, or for directing or supervising in whole or in part factory or distributor representatives, and shall further include any sales promotion organization, whether the same be a person, firm, or corporation, which is engaged in promoting the sale of new and unused vehicles in this state of a particular brand or make to vehicle dealers.

(c) 'Factory representative' which means a representative employed by a manufacturer, distributor, or factory branch for the purpose of making or promoting for the sale of his, its, or their vehicles or for supervising or contracting with his, its, or their dealers or prospective dealers.

(9) 'Established place of business' means a permanent, enclosed commercial building located within the state of Washington easily accessible and open to the public, at all reasonable times, with an improved display area of not less than three thousand square feet in or immediately adjoining said building, and at which the business of a vehicle dealer, including the display and repair of vehicles, may be lawfully carried on in accordance with the terms of all applicable building code, zoning, and other land-use regulatory ordinances and in which such building the public may contact the vehicle dealer or his vehicle salesman, at all reasonable times and at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place. The established place of business shall display an exterior sign permanently affixed to the land or building, with letters clearly visible to the major avenue of traffic. A dealer operating a listing service who does not physically maintain any vehicles for display, or a vehicle dealer who

merely rents or leases or licenses for use any space on a temporary basis not to exceed two days to private persons to sell their own vehicles, need not operate in a commercial building nor have such a display area.

(10) 'Subagency' means any place of business of a vehicle dealer within the same county as the principal place of business of the firm which is physically and geographically separated from the principal place of business of the firm or any place of business of a vehicle dealer within the same county as the principal place of business of the firm under which he does business under a name other than the principal name of the firm, or both."

Renumber the sections following consecutively, and correct internal references accordingly.

On page 2, line 32, after "advertising" insert ", or for which the dealer will be providing or licensing for use facilities and/or services for compensation of any kind which bring together potential buyers and sellers."

On page 12, after line 36, add the following new section:

"NEW SECTION. Sec. 5. This 1977 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."

In line 1 of the title, after "vehicles;" insert "amending section 3, chapter 74, Laws of 1967 ex. sess. as last amended by section 2, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.70.011;"

In line 8 of the title, after "crimes;" strike "and"

In line 9 of the title, after "penalties" insert "; and declaring an emergency"

Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Gallagher, Hawkins, Owen, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

May 9, 1977

SUBSTITUTE SENATE BILL NO. 2356, Prime Sponsor: Senator Grant, revising methods of setting precinct boundaries. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 4 after "any or all" strike all material down to and including "Woodland" on line 13 and insert "cities and towns"

Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Heck.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SENATE BILL NO. 2429, Prime Sponsor: Senator Francis, revising the regulation of charitable solicitations. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 17, beginning on line 23 strike all of section 14, and renumber the remaining sections consecutively.

Signed by Representatives Salatino, Vice Chairman; Hansen, Hawkins, Owen, Paris, Shinoda, Struthers, Walk.

To Committee on Rules for second reading.

May 6, 1977

SUBSTITUTE SENATE BILL NO. 2445, Prime Sponsor: Senator Wojahn, regulating automotive repair. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13 after "vehicle;" strike "and"

On page 1, line 18 after "installation" strike the period and insert "; and"

On page 1, after line 17 insert a new subsection as follows:

"(c) 'Automotive repairing' should not include the change or repair of tires; the lubrication of vehicles; the installation of light bulbs, batteries, windshield wiper blades, and other minor accessories; the cleansing, adjustment, and replacement of spark plugs; the replacement of fan belts, oil and oil filters; and other minor services which are customarily performed by gasoline service stations."

On page 2, line 8 after "customer" strike "in writing" and insert "a written estimate or"

On page 3, following section 8 insert a new section as follows:

"NEW SECTION. Sec. 9. This 1977 amendatory act shall take effect January 1, 1979."

On page 1, line 2 of the title, after "46 RCW;" strike "and prescribing penalties" and insert "prescribing penalties; and prescribing an effective date"

Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Greengo, Ranking Minority Member; Gallagher, Hansen, Owen, Shinoda, Walk.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SENATE BILL NO. 2453, Prime Sponsor: Senator Donohue, modifying restrictions on small loan companies. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, line 25 after "one and" strike "~~((one-half)) three-fourths~~" and insert "one-half"  
On page 10, beginning on line 8 strike all of subsection (6)

Signed by Representatives Deccio, Ranking Minority Member; Hurley (Margaret), Kreidler, Nelson (Gary), Pardini, Polk, Winsley.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SENATE BILL NO. 2462, Prime Sponsor: Senator von Reichbauer, protecting initiative and referendum petition signatures. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Heck.

To Committee on Rules for second reading.

May 9, 1977

REENGROSSED SUBSTITUTE SENATE BILL NO. 2527, Prime Sponsor: Senator Henry, defining criminal process of leased and rented motor vehicles and providing penalties. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "mail" strike "addressed to him at his last known place of residence or business" and insert "requesting a return receipt signed by the addressee only, or by personal service in the manner provided for service of summons"

Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

May 9, 1977

SUBSTITUTE SENATE BILL NO. 2591, Prime Sponsor: Senator Sandison, relating to postsecondary education. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Grimm, Haley, Oliver, Thompson.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2654, Prime Sponsor: Senator Bottiger, modifying public notice and judicial review provisions of the environmental policy act. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 10 after "(2)" insert "(a)"

On page 2, beginning on line 17 after "of the" strike all material through "chapter" on line 18 and insert "notice pursuant to subsection (1) of this section"

On page 2, line 20 after "days" strike "(1)" and insert "(i)"

On page 2, line 22 after "or" strike "(2)" and insert "(((2))) ii"

On page 3, line 2 after "evaluation," insert "(b)"

On page 3, at the beginning of line 6 strike "(1)" and insert "(i)"

On page 3, line 7 after "or" strike "(2)" and insert "(ii)"

Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Barr, Ranking Minority Member; Chandler, Douthwaite, Gruger, Hughes, Leckenby, Oliver, Tilly.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SENATE BILL NO. 2667, Prime Sponsor: Senator Morrison, providing for the continued operation of the Yakima migrant labor housing project. Reported by Committee on Labor.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, line 15 after "December 1," strike "1977" and insert "1978"

Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Fischer, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

May 9, 1977

**SENATE BILL NO. 2675,** Prime Sponsor: Senator Francis, modifying the penalty for the taking of certain merchandise. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Knedlik, Newhouse, Sherman, Shinpoch, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

May 9, 1977

**SUBSTITUTE SENATE BILL NO. 2858,** Prime Sponsor: Senator Woody, changing the law on solid waste. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Bender, Fancher, North, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

May 9, 1977

**SUBSTITUTE SENATE BILL NO. 2872,** Prime Sponsor: Senator Marsh, revising outdated and offensive language pertaining to the physically, mentally and sensory handicapped and providing a defined process to determine mental status due to incompetency or disability. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass. Signed by Representatives Knowles, Chairman; Enbody, Vice Chairman; Leckenby, Ranking Minority Member; Hanna, Newhouse, Sherman, Smith, Tilly, Winsley.

To Committee on Rules for second reading.

May 9, 1977

**SUBSTITUTE SENATE BILL NO. 2889,** Prime Sponsor: Senator McDermott, enumerating RCW sections governing allocation and distribution of funds for common school plant facilities. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass. Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bauer, Bender, Ehlers, Fortson, Lee, Schmitten, Whiteside.

To Committee on Rules for second reading.

May 6, 1977

**SUBSTITUTE SENATE BILL NO. 2975,** Prime Sponsor: Senator Bluechel, relating to the liability of ski resort operators. Reported by Committee on Parks and Recreation.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

**"NEW SECTION, Section 1.** (1) The operator of any ski area shall maintain a sign system.

All signs for instruction of the public shall be bold in design with wording short, simple, and to the point. All such signs shall be prominently placed.

Entrances to all machinery, operators', and attendants' rooms shall be posted to the effect that unauthorized persons are not permitted therein.

The sign 'Men Working on Lift' or a similar warning sign shall be hung on the main disconnect switch and at control points for starting the auxiliary or prime mover when men are working on the passenger tramway.

(2) The interior of each reversible aerial tramway and gondola lift shall be prominently posted to show:

(a) The maximum capacity of each reversible aerial tramway and gondola lift in pounds and number of passengers (which shall also be posted at each loading area); and

(b) Instructions for procedure in emergencies.

(3) The following signs shall be posted at all aerial lifts except gondola lifts:

(a) 'Prepare to Unload' (not less than fifty feet ahead of unloading area);

(b) 'Keep Ski Tips Up' (ahead of any point where skis may come in contact with a platform or the snow surface);

- (c) 'Unload Here';
- (d) 'Safety Gate' (if applicable);
- (e) 'Remove Pole Straps from Wrists' (at loading area); and
- (f) Sign visible at all points of downhill loading, listing downhill capacity of lift.
- (4) The following signs shall be posted at all surface lifts:
  - (a) 'Prepare to Unload' (not less than fifty feet ahead of unloading area);
  - (b) 'Stay in Track';
  - (c) 'Unload Here';
  - (d) 'Safety Gate'; and
  - (e) 'Remove Pole Straps from Wrists' (at loading area).
- (5) The following signs shall be posted at all tows:
  - (a) 'No Loose Scarves  
No Loose Clothing  
No Long Hair Exposed'  
(at loading area);

- (b) 'Stay in Track';
- (c) 'Unload Here'; and
- (d) 'Safety Gate'.

(6) All signs required for normal daytime operation shall be in place, and those pertaining to the tramway, lift, or tow operations shall be adequately lighted for night skiing.

(7) If a particular trail or slope has been closed to the public by an operator, the operator shall place a notice thereof at the top of the trail or slope involved, and no person shall ski on a slope or trail which has been designated 'Closed'.

(8) An operator shall place a notice at the embarking terminal or terminals of a lift or tow which has been closed that the lift or tow has been closed and that a person embarking on such a lift or tow shall be considered to be a trespasser.

(9) An operator shall prominently place a notice containing the substance of section 3 of this act in such places as are necessary to notify the public.

(10) Any snow making machines or equipment shall be clearly visible and clearly marked.

(11) The operator of any ski area shall maintain a readily visible sign on each rope tow, wire rope tow, j-bar, t-bar, ski lift, or other similar device, advising the users of the device that:

- (a) Any person not familiar with the operation of the lift shall ask the operator thereof for assistance and/or instruction; and
- (b) The skiing-ability level recommended for users of the lift and the slopes served by the device shall be classified 'easiest', 'more difficult', and 'most difficult'.

NEW SECTION. Sec. 2. (1) In addition to the specific requirements of this section, all skiers shall conduct themselves within the limits of their individual ability and shall not act in a manner that may contribute to the injury of themselves or any other person.

(2) No person shall:

- (a) Embark or disembark upon a ski lift except at a designated area;
- (b) Throw or expel any object from any tramway, ski lift, commercial skimobile, or other similar device while riding on the device;
- (c) Act in any manner while riding on a rope tow, wire rope tow, j-bar, t-bar, ski lift, or similar device that may interfere with the proper or safe operation of the lift or tow;
- (d) Wilfully engage in any type of conduct which may injure any person, or place any object in the uphill ski track which may cause another to fall, while traveling uphill on a ski lift; or
- (e) Cross the uphill track of a j-bar, t-bar, rope tow, wire rope tow, or other similar device except at designated locations.

(3) Every person shall maintain control of his or her speed and course at all times, and shall stay clear of any snowgrooming equipment, any vehicle, any lift tower, and any other equipment on the mountain. Snow grooming equipment or any other vehicles shall be equipped with a flashing yellow light at any time the vehicle is moving on or in the vicinity of a ski run.

(4) A person shall be the sole judge of his or her ability to negotiate any trail, slope, or uphill track and no action shall be maintained against any operator by reason of the condition of the track, trail, or slope unless the condition results from the negligence of the operator.

(5) Any person who boards a rope tow, wire rope tow, j-bar, t-bar, ski lift, or other similar device shall be presumed to have sufficient abilities to use the lift. No liability shall attach to any operator or attendant for failure to instruct the person on the use of the device, but a person shall follow any written or verbal instructions that are given regarding the use.

(6) Because of the inherent risk in the sport of skiing all persons using the ski hill shall exercise reasonable care for their own safety. However, the primary duty shall be on the person skiing downhill to avoid any collision with any person or object below him or her.

(7) Subsection (6) of this section notwithstanding, any person skiing on other than improved trails or slopes within the area shall be responsible for any injuries or losses resulting from his or her action.

(8) Subsections (6) and (7) of this section notwithstanding, any person on foot or on any type of sliding device shall be responsible for any collision whether the collision is with another person or with an object.

(9) A person embarking on a lift or tow without authority shall be considered to be a trespasser.



**NEW SECTION.** Sec. 3. Any person who is involved in a skiing accident and who departs from the scene of the accident without leaving personal identification or otherwise clearly identifying himself or herself before notifying the proper authorities or obtaining assistance, knowing that any other person involved in the accident is in need of medical or other assistance, shall be guilty of a misdemeanor.

**NEW SECTION.** Sec. 4. (1) Every tramway, ski lift, or commercial skimobile operator shall maintain liability insurance of not less than one hundred thousand dollars per person per accident and of not less than two hundred thousand dollars per accident.

(2) Every operator of a rope tow, wire rope tow, j-bar, t-bar, or similar device shall maintain liability insurance of not less than twenty-five thousand dollars per person per accident and of not less than fifty thousand dollars per accident.

(3) This section shall not apply to operators of tramways that are not open to the general public and that are operated without charge, except that this section shall apply to operators of tramways that are operated by schools, ski clubs, or similar organizations.

**NEW SECTION.** Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 70 RCW.\*

On page 1, on line 1 of the title, after 'Relating to', strike 'the liability of ski resort operators' and insert 'skiing and commercial ski activity'

Signed by Representatives Hurley (Margaret), Chairwoman; North, Vice Chairwoman; Craswell, Ranking Minority Member; Owen, Paris.

To Committee on Rules for second reading.

May 6, 1977

ENGROSSED SENATE BILL NO. 2990, Prime Sponsor: Senator Francis, exempting from the gambling laws antique slot machines if not used for gambling purposes. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, after line 21 insert the following:

'Sec. 2. Section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by members and guests only to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed five thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are conducted no more than twice each calendar year over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together does not exceed five thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to 'win', 'place' or 'show' and those holding tickets on the three winners may receive a pay-off similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(7) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(8) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

The penalties provided for professional gambling in this chapter shall not apply to sports pools as described in this subsection, golfing sweepstakes and bowling activities as described in subsections (6) and (7) of this section, social card games, bingo games, raffles, punch boards, pull-tabs, or amusement games when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission."

On page 1, on line 1 of the title, after "gambling," insert "amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030;"

Signed by Representatives Warnke, Chairman; Salatino, Vice Chairman; Gallagher, Hansen, Owen, Struthers, Walk.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3028, Prime Sponsor: Senator Bausch, permitting proceeds from port district revenue bonds to be used for funding reserve accounts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Adams, Fancher, Keller, Shinoda, Whiteside, Zimmerman.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3044, Prime Sponsor: Senator Sellar, regulating services and fees of physicians' assistants in support of industrial insurance recipients. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Lux, Chairman; Pearsall, Vice Chairwoman; Bond, Ranking Minority Member; Clayton, Fischer, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

May 9, 1977

SENATE JOINT MEMORIAL NO. 109, Prime Sponsor: Senator Talley, requesting the federal government to develop a program of standards for marine measurements. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Chairwoman; Pruitt, Vice Chairman; Chandler, Douthwaite, Gruger, Hughes, Oliver, Tilly.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 3109, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander - by Governor Ray request):

Adopting the 1977-79 operating budget.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 60th Day ex. sess., May 9, 1977.)

Mr. Shinpoch moved adoption of the committee amendment.

On motion of Mr. Conner, the following amendments to the committee amendment were adopted:

On page 1, lines 19 and 20, strike "16,832,000" and insert "16,882,000"

On page 2, line 2 after "session" insert "(6) \$50,000 for a forest residue use study"

Mr. Amen moved adoption of the following amendment to the committee amendment by Representatives Amen, Craswell, Paris and Barr:

On page 1, line 19 strike "16,832,000" and insert "12,650,000"

Representatives Amen, Struthers, Pardini, Paris, Haley and Craswell spoke in favor of the amendment, and Representatives Shinpoch and Hughes spoke against it.

Mr. Amen spoke again in favor of the amendment to the committee amendment.

Mr. Patterson demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Amen and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Fischer, Hurley G. S., Lux.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (Gary): "If a member is within the House Chamber is he required to vote?"

The Speaker: "Rule 64 states that every member who is within the House when the question was put shall vote unless, for special reasons, was excused by the House. The Speaker looked around and did not see any member who had not voted who was in the bar of the House."

Mr. Nelson (Gary): "I think several members observed Representative Fischer within the bar of the House and he is still sitting there and he did not vote on the last amendment. Can you indicate to me how he voted?"

The Speaker: "According to this he didn't vote, but the Speaker doesn't know whether he was within the bar of the House at the time the vote was called."

The Clerk read the following amendments by Representatives Amen, Paris, Craswell and Barr to the committee amendment:

On page 2, line 4 strike "10,011,500" and insert "9,271,000"

On page 2, line 5 strike "10,011,500" and insert "9,271,000"

With the consent of the House, Mr. Amen withdrew the amendments.

Mr. Charette moved adoption of the following amendment:

On page 3, lines 19 and 20 strike "\$3,075,000" and insert "\$4,006,000"

Representatives Charette and Polk spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Burns moved adoption of the following amendment to the committee amendment:

On page 8, following line 20 insert a new subsection as follows:

"(3) Not more than \$3,597,137 of general fund moneys shall be expended to effect salary increases for student employees of the four-year institutions of higher education. Not more than \$2,662,858 of this amount shall be expended to effect, beginning July 1, 1977, an average 9.35% salary increase for student employees. Not more than \$934,279 of this amount shall be expended to effect, beginning July 1, 1978, an average 6% salary increase for student employees."

Renumber the remaining subsections consecutively.

Representatives Burns and Douthwaite spoke in favor of the amendment, and Representatives Shinpoch and Blair spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Charette, comments were made by Representative Burns that in a committee amendment on behalf of the community college system, there was money in your amendment that would provide additional funds for students' salaries and wages. Is that true?"

Mr. Charette: "I don't know."

Mr. Burns demanded an electric roll call, and the demand was not sustained.

The amendment to the committee amendment was not adopted.

Mr. Pardini moved adoption of the following amendments to the committee amendment by Representatives Pardini and Hughes:

On page 6, line 29 in column under "EWSC" strike "7%" and insert "8%"

On page 6, line 30 strike "4.3%" and insert "5.4%"

On page 6, line 31 strike "11.3%" and insert "13.4%"

On page 7, line 4 strike "9.6%" and insert "10.6%"

On page 7, line 5 strike "4.3%" and insert "5.4%"

On page 7, line 6 strike "13.9%" and insert "16.0%"

On page 8, line 21 strike "\$29,542,000" and insert "\$29,785,000"

On page 8, line 34 strike "\$8,871,000" and insert "\$9,026,000"

On page 9, line 1 strike "2%" and insert "3%"

On page 9, line 2 strike "\$3,575,000" and insert "\$3,663,000"

On page 9, line 6 strike "1%" and insert "2%"

Representatives Pardini and Hughes spoke in favor of the amendments, and Mr. Shinpoch spoke against them.

Mr. Pardini spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Pardini and Hughes to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were not adopted by the following vote: Yeas, 41; nays, 51; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Burns, Chandler, Charnley, Clayton, Deccio, Dunlap, Erickson, Fancher, Fischer, Fuller, Gallagher, Greengo, Grier, Hansen, Hughes, Hurley M., King, Knedlik, Knowles, Leckenby, Lee, Lux, Maxie, May, McCormick, Nelson D., Nelson G. A., Pardini, Patterson, Polk, Salatino, Shinoda, Struthers, Vrooman, Whiteside, Winsley.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Charette, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Flanagan, Fortson, Gaines, Gilleland, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Kilbury, Kreidler, Lysen, Martinis, McKibbin, Moreau, Newhouse, North, O'Brien, Owen, Paris, Pearsall, Pruitt, Sanders, Schmitten, Sherman, Shinpoch, Sommers, Tallor, Thompson, Valle, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Craswell, Erak, Keller, Oliver, Smith, Tilly.

Mr. Struthers moved adoption of the following amendments to the committee amendment by Representatives Struthers and Patterson:

On page 5, line 21, strike "8%" and insert "10%"

On page 5, line 22, strike "7.6%" and insert "7%"

On page 5, line 23, strike "15.6%" and insert "17%"

On page 5, line 34, strike "13.1%" and insert "15.1%"

On page 5, line 35, strike "10.0%" and insert "9.4%"

On page 5, line 36, strike "23.1%" and insert "24.5%"

On page 10, line 2 strike "\$192,000" and insert "\$225,000"

On page 10, line 5 strike "\$130,000" and insert "\$163,000"

On page 10, line 5 strike "\$24,000" and insert "\$31,000"

On page 10, line 7 strike "8%" and insert "10%"

On page 10, line 9 strike "\$12,000" and insert "\$11,000"

On page 11, line 2 strike "\$3,853,000" and insert "\$4,530,000"

On page 11, line 5 strike "\$2,617,000" and insert "\$3,271,000"

On page 11, line 6 strike "8%" and insert "10%"

On page 11, line 7 strike "\$1,236,000" and insert "\$1,259,000"

Representatives Struthers and Patterson spoke in favor of the amendments to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Struthers and Patterson to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were adopted by the following vote: Yeas, 76; nays, 15; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grimm, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Schmitten, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tallor, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Clemente, Craswell, Eng, Grier, Gruger, Haley, Heck, Hurley M., King, Knowles, May, Pruitt, Sanders, Valle.

Not voting: Representatives Conner, Erak, Fortson, Knedlik, Lux, North, Smith.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

Mr. Gallagher 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 Moreau.

On motion of Mr. Charnley, the absent member was excused, and the House proceeded with business under the Call of the House.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 199,  
HOUSE BILL NO. 287,  
SUBSTITUTE HOUSE BILL NO. 563,  
HOUSE BILL NO. 755.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3109:

The House resumed consideration of the bill on second reading.

Mr. Pardini moved adoption of the following amendment to the committee amendment:

On page 11, after subsection (12) insert a new subsection as follows:

"(13) The hiring freeze imposed by Executive Order 77-2 shall be extended until December 31, 1977."

Mr. Pardini spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mr. Pardini spoke again in favor of the amendment, and Mr. Shinpoch again spoke in opposition to it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, Rule 51 says that the maker of the motion may close debate after the 50th day. Under your interpretation Representative Pardini would be, in this case, allowed to speak twice, but no other member would be allowed to speak twice?"

The Speaker: "That's correct."

Mr. Pardini closed debate, speaking again in favor of the amendment to the committee amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Duniap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Hughes, Hurley M., Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Pearsall, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representative Moreau.

On motion of Mr. Eng, the following amendment to the committee amendment was adopted:

On page 12, after line 13 insert:

**NEW SECTION, Sec. 17B. FOR THE COMMISSION ON ASIAN AMERICAN AFFAIRS**

General Fund Appropriation . . . . . \$ 105,340

Total Appropriation . . . . . \$ 105,340\*

Mr. Taller moved adoption of the following amendment to the committee amendment by Representatives Taller and Hughes:

On page 14, after line 5 insert a new subsection as follows:

"(5) An experimental pilot project involving the use of zero-base budgeting concepts shall be undertaken by the office of program planning and fiscal management as part of the development of the governor's budget recommendations for the 1979-80 biennium. This initial project shall cover budget development for an institution of higher education, a major budget program of the department of social and health services and such other state agencies or budget programs as the governor may designate. A project outline and

progress report shall be provided to the Senate ways and means committee and the House appropriations committee by April 1978. A final report shall be provided to the legislature by January 1979."

Representatives Taller and Hughes spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Taller and Hughes to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; not voting, 1.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Hurley M., Knedlik, Kreidler, Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knowles, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representative Moreau.

Representative Moreau appeared at the bar of the House.

Representative Polk moved adoption of the following amendments to the committee amendment:

- On page 5, line 21 strike "10.1%" and insert "6.4%"
- On page 5, line 21 strike "9.35%" and insert "6.4%"
- On page 5, line 22 strike "6%" and "6%"
- On page 5, line 34 strike "16.2%" and insert "12.5%"
- On page 5, line 34 strike "15.95%" and insert "13.0%"
- On page 5, line 35 strike "8.4%" and insert "2.4%"
- On page 5, line 35 strike "8.4%" and insert "2.4%"
- On page 5, line 36 strike "24.6%" and insert "14.9%"
- On page 5, line 36 strike "24.35%" and insert "15.4%"
- On page 6, line 7 strike "10.1%" and insert "6.4%"
- On page 6, line 8 strike "6%"
- On page 6, line 20 strike "12.5%" and insert "8.8%"
- On page 6, line 21 strike "6%"
- On page 6, line 22 strike "18.5%" and insert "8.8%"

Mr. Polk spoke in favor of the amendments, and Mr. Keller spoke against them.

Mr. Bender demanded an electric roll call and the demand was sustained.

Representatives Bond, Sanders and Polk spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Polk to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were not adopted by the following vote: Yeas, 9; nays, 89; not voting, 0.

Voting yea: Representatives Bond, Dunlap, Flanagan, Gilleland, Hurley M., Leckenby, Newhouse, Polk, Sanders.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Mr. Douthwaite moved adoption of the following amendment to the committee amendment:

On page 25, line 18 after "installations" insert "provided that the House State Government Committee shall review the services and activities of the military department and report its findings regarding the merits of continued state support to the 1978 Legislature."

Mr. Douthwaite spoke in favor of the amendment, and Mr. Ehlers spoke against it.

Mr. Douthwaite closed debate, speaking again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 32; nays, 66; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Burns, Chandler, Charnley, Douthwaite, Eng, Erak, Flanagan, Greengo, Grier, Haley, Hansen, Hawkins, Hurley G. S., Keller, Lux, Lysen, Nelson D., Nelson G. A., Owen, Pruitt, Sanders, Shinoda, Smith, Sommers, Struthers, Tilly, Valle, Whiteside, Winsley.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grimm, Gruger, Hanna, Heck, Hughes, Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Schmitten, Sherman, Shinpoch, Taller, Thompson, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

on motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 22, line 1 strike "\$345,866,500" and insert "\$345,886,500"

On page 22, line 5 strike "\$349,722,300" and insert "\$349,742,300"

Representative Hurley (Margaret) moved adoption of the following amendments:

On page 23, line 14 strike "850,000" and insert "735,000"

On page 23, line 15 strike "850,000" and insert "735,000"

Representative Hurley (Margaret) spoke in favor of the amendments, and Representatives Nelson (Gary) and Shinpoch spoke against them.

The amendments were not adopted.

Mr. Lux moved adoption of the following amendment to the committee amendment by Representatives Lux, Thompson, Fischer, Pardini and Zimmerman:

On page 25, lines 25 and 26, strike "840,000" and insert "950,000"

Representatives Lux, Zimmerman, Fischer and King spoke in favor of the amendments to the committee amendment, and Mr. Shinpoch spoke against it.

Mr. Lux spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 33; nays, 65; not voting, 0.

Voting yea: Representatives Adams, Becker, Burns, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., King, Kreidler, Lux, Maxie, Nelson D., North, O'Brien, Pardini, Pearsall, Pruitt, Sherman, Thompson, Valle, Walk, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Conner, Craaswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hurley M., Keller, Kilbury, Knedlik, Knowles, Leckenby, Lee, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Polk, Salatino, Sanders, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Mr. Hawkins moved adoption of the following amendments by Representatives Hawkins, Winsley, Hanna and Haley to the committee amendment:

On page 29, line 32 strike "26,876,000" and insert "27,107,000"

On page 30, line 2 strike "33,583,000" and insert "33,814,000"

Representatives Hawkins and Haley spoke in favor of the amendments to the committee amendment, and Mr. Shinpoch spoke against them.

Mr. Hawkins spoke again in favor of the amendments, and Mr. Shinpoch spoke again in opposition to them.

The amendments were not adopted.

The Clerk read the following amendment to the committee amendment by Representatives Hawkins, Winsley, Hanna and Haley:

On page 31, add a new subsection as follows:



'(9) Up to \$230,634 shall be transferred to Pierce County for community services for the 30% impact caused by the location of Western State Hospital and American Lake Hospital identified by various studies.'

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

On motion of Mr. Hanna, the following amendments to the committee amendment by Representatives Hanna, Deccio, Knowles, Greengo, Fischer, Struthers and Becker were adopted:

On page 27, line 2 strike "18,515,000" and insert "19,409,941"

On page 27, line 4 strike "19,514,000" and insert "20,408,941"

On page 27, line 5 strike "871" and insert "881"

On page 28, immediately following line 25 insert a new subsection as follows:

'(13) Community correctional programs shall be funded. Up to 10 FTE staff years and \$894,941 may be expended for the period July 1, 1977 to June 30, 1978. Of this sum, no more than 10 FTE staff years and \$194,941 shall be expended to plan, administer, monitor and evaluate community correctional programs, which may include, but are not limited to, deferred and suspended sentencing programs, preprosecutorial diversionary programs, restitution, treatment, rehabilitation, special probation programs, and appropriate case management and supervision. Up to \$700,000 shall be expended for grants to such programs which meet departmental standards. In allocating these funds, priority shall be given to existing programs which have been effective in safely reducing commitments to state correctional institutions, but whose funding sources have been exhausted or significantly depleted. This appropriation shall not take effect if Second Substitute House Bill 307 (45th Legislative Session) becomes law.'

Mr. Vrooman moved adoption of the following amendments to the committee amendment by Representatives Vrooman, Berenston and Becker:

On page 30, line 5 strike "\$25,080,000" and insert "\$25,395,000"

On page 30, line 6 strike "\$1,102,000" and insert "\$1,437,000"

On page 30, line 7 strike "\$26,182,000" and insert "\$26,832,000"

On page 31, after line 25 insert the following:

'(9) Not less than six hundred fifty thousand dollars (of which three hundred thirty-five thousand dollars is to be from federal funds) shall be expended to establish and operate a geriatric mental health unit at Northern State Hospital, additional funds and staff for the operation of said unit to be obtained by shifts from existing programs.

The department shall submit to the Office of Program Planning and Fiscal Management and the Legislative Budget Committee no later than September 1, 1977 a report which shall include: (1) sources and description of client population; (2) impact of the unit upon (a) other mental health facilities and services, and (b) the surrounding community; (3) integration of the unit with other programs proposed for the Northern State Hospital site; and (4) cost effectiveness comparison of the unit with existing alternatives. The unit shall not become operational without the approval of both the Office of Program Planning and Fiscal Management and the Legislative Budget Committee.'

Representatives Vrooman, Berentson and Becker spoke in favor of the amendments, and Mr. Shinpoch spoke against them.

Mr. Vrooman spoke again in favor of the amendments to the committee amendment, and they were adopted.

The Clerk read the following amendments by Representatives Hawkins, Winsley, Hanna and Haley to the committee amendment:

On page 31, line 33 strike "13,359,000" and insert "13,584,000"

On page 31, line 35 strike "24,016,000" and insert "24,241,000"

On page 33, add a new subsection as follows:

'(11) Up to \$225,040 may be expended for Pierce County due to the impact and lack of sufficient community service funding to meet identified unserved client load of certified eligible clients residing within the boundaries of Pierce County.'

With the consent of the House, Mr. Hawkins withdrew the amendments.

Representative Hurley (Margaret) moved adoption of the following amendment to the committee amendment:

On page 35, line 2 after "expended." insert "An earned income disregard shall be established to encourage recipients to pursue employment. The disregard shall be the same as for aid to families with dependent children. Up to \$45,000 may be expended. Eligibility for recipients shall not exceed sixty calendar days in each year."

Mrs. Hurley (Margaret) spoke in favor of the amendment, and Ms. Gruger spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greego, Haley, Hansen, Hughes, Hurley M., Leckenby, Lee, Lysen, May, Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Gaines, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 35, line 32 strike "\$50,924,000" and insert "\$51,924,000"

On page 35, line 33 strike "\$103,657,000" and insert "\$104,657,000"

Mr. Pardini moved adoption of the following amendment to the committee amendment:

On page 34, beginning on line 33 strike subsection (4) and renumber the remaining subsections consecutively.

Mr. Pardini spoke in favor of the amendment, and Representatives Gruger, Lux, Shinpoch and Smith spoke against it.

The amendment was not adopted.

On motion of Ms. Becker, Representative Moreau was excused from the Call of the House.

On motion of Mr. Williams, the following amendment to the committee amendment was adopted:

On page 38, line 18 insert a new subsection as follows:

"(15) Up to \$950,000 may be expended for the maintenance and operation of rape crisis centers which provide services to victims of rape and sexual assault.

\$450,000 shall be held in the general fund account and may be expended only upon approval and receipt of federal funds."

Mr. Deccio moved adoption of the following amendments to the committee amendment by Representatives Deccio, Blair, Barnes, Oliver, Adams, Maxie, Erak, North and Fortson:

On page 38, line 25 strike "247,311,000" and insert "249,729,000"

On page 38, line 26 strike "212,186,000" and insert "214,768,000"

On page 38, line 27 strike "459,497,000" and insert "464,497,000"

On page 39, line 27 strike subsection (6) and insert the following:

"(6) Up to \$12,351,000 including \$6,376,821 from federal funds shall be expended exclusively to increase salaries for nonprofessional nursing home employees involved in direct and indirect patient care."

Representatives Deccio, Struthers, Zimmerman and Hurley (George) spoke in favor of the amendments to the committee amendment.

## POINT OF INQUIRY

Mr. Deccio yielded to question by Ms. Becker.

Ms. Becker: "Representative Deccio, does this amendment include everyone who works in nursing homes?"

Mr. Deccio: "Everyone except administrators, LPN's and nurses."

Ms. Becker: "I don't see how the language of this amendment excludes administrators. It says nonprofessional nursing home employees."

Mr. Becker: "The intent of the amendment is to deal with those people in nursing aid categories; it is not intended to include administrators, LPN's or nurses."

Representatives Erak and Amen spoke in favor of the amendments, and Mr. Shinpoch spoke against them.

Mr. Deccio spoke again in favor of the amendments, and they were adopted.

Representative Hurley (Margaret) moved adoption of the following amendment to the committee amendment:

On page 39, line 34 strike "shall" and insert "may"

Mrs. Hurley (Margaret) spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment to the amendment was not adopted.

On motion of Mr. Shinpoch, the following amendment to the committee amendment was adopted:

On page 39, line 35 strike "26 FTE staff years and"

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt and Becker to the committee amendment:

On page 40, after line 11 insert the following:

"(12) The department shall consider only medical necessity as a standard for approving or denying requests for in-patient hospital services. The department shall report to the legislature in January 1978 and January 1979 on the standards and procedures used for approving or denying payment for in-patient hospital services, the number of requests for payment for such services approved and the number denied, and the total cost to the state of such services approved for payment."

Representatives Pruitt and Becker spoke in favor of the amendment, and it was adopted.

Mr. Kreidler moved adoption of the following amendments to the committee amendment by Representatives Kreidler, Schmitt and Adams:

On page 40, line 32 strike "7,288,000" and insert "7,469,000"

On page 40, line 33 strike "11,998,000" and insert "12,179,000"

On page 40, line 34 strike "329" and insert "333"

On page 41, after "Up" on line 23 strike all material down to and including "activity" on line 25 and insert "to 17.4 FTE staff years and \$1,000,000, including \$630,000 from federal funds, may be expended for this activity. Of this total, 4 FTE staff years shall be expended exclusively for permanent professional staff to serve the state health coordinating council"

Representatives Kreidler and Schmitt spoke in favor of the amendments, and they were adopted.

Mr. Eng moved adoption of the following amendments to the committee amendment by Representatives Valle and Eng:

On page 41, line 2 strike "355,000" and insert "415,000"

On page 41, line 4 strike "12,392,000" and insert "12,452,000"

On page 42, add a new subsection as follows:

"(9) Up to \$60,000 may be expended to make available 24-hour nursing services to residents of Center Park in Seattle."

Representatives Eng and Valle spoke in favor of the amendments, and Representatives Shinpoch and Blair spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Valle and Eng to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were not adopted by the following vote: Yeas, 15; nays, 82; not voting, 1.

Voting yea: Representatives Charette, Douthwaite, Enbody, Eng, Fischer, Hughes, Hurley G. S., Lux, Lysen, Maxie, Nelson D., Pruitt, Salatino, Thompson, Valle.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tallor, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representative Moreau.

On motion of Mr. Shinpoch, the following amendments were adopted:

On page 46, line 11 strike "\$792,000" and insert "\$1,475,000"

On page 46, line 12 strike "\$792,000" and insert "\$1,475,000"

On page 46, line 26 before "Not more than" insert "(1)"

On page 46, following line 28 insert the following:

"(2) Up to \$683,000 shall be expended for claims processing services provided by the veterans contract offices."

Mr. Ehlers moved adoption of the following amendments by Representatives Ehlers, Grimm, Erickson, Smith, Hawkins, Walk, Conner, Gaines and Hanna to the committee amendment:

On page 46, line 15 strike "\$3,718,000" and insert "\$3,952,000"  
 On page 46, line 17 strike "\$4,531,000" and insert "\$4,765,000"  
 On page 46, line 20 strike "\$3,819,000" and insert "\$3,942,000"  
 On page 46, line 23 strike "\$5,084,000" and insert "\$5,207,000"

Mr. Ehlers spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments to the committee amendment by Representative Ehlers and others, and the amendments were adopted by the following vote: Yeas, 61; nays, 36; not voting, 1.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Berentson, Boldt, Burns, Charette, Charnley, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Knedlik, Knowles, Leckenby, Lux, Martinis, Maxie, McCormick, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Schmitten, Sherman, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Amen, Barr, Bender, Blair, Bond, Chandler, Clayton, Clemente, Deccio, Eng, Flanagan, Fuller, Gruger, Haley, Hansen, Heck, Hurley M., Kibbury, King, Kreidler, Lee, Lysen, May, McKibbin, Newhouse, Polk, Sanders, Shinoda, Shinpoch, Sommers, Struthers, Taller, Tilly, Whiteside, Zimmerman, and Mr. Speaker.

Not voting: Representative Moreau.

On motion of Mr. Ehlers, the following amendments by Representatives Ehlers, Grimm, Erickson, Smith, Hawkins, Walk, Conner, Gaines and Hanna to the committee amendment were adopted:

On page 46, line 26 after "limitation:" insert "(1)"  
 On page 46, line 28 after "staffing." add the following:  
 "(2) Up to \$9,972,000 shall be expended for the Veterans Home and the Soldiers' Home and Colony."

Mr. Smith moved adoption of the following amendments:  
 On page 47, line 8 strike "4,372,000" and insert "5,903,653"  
 On page 47, line 11, strike "142,081,000" and insert "143,612,653"

Mr. Smith spoke in favor of the amendments, and Mr. Shinpoch spoke against them.

The amendments were not adopted.

Mr. Smith moved adoption of the following amendments to the committee amendment:  
 On page 48, line 2 strike "2,430,829" and insert "2,510,829"  
 On page 48, line 5 strike "2,598,829" and insert "2,678,829"

Mr. Smith spoke in favor of the amendments. The amendments to the committee amendment were not adopted.

Mr. Douthwaite moved adoption of the following amendments to the committee amendment by Representatives Douthwaite and Barr:

On page 50, line 19 strike "\$15,795,309" and insert "\$15,909,049"  
 On page 51, line 7 strike "174,664,939" and insert "174,778,679"  
 On page 52, line 31 insert

"(8) Not more than \$113,740 shall be expended by the department to implement the Dam Safety and Maintenance program as required in RCW 90.03.350."

Representatives Douthwaite and Barr spoke in favor of the amendments, and Representatives Shinpoch and Blair spoke against them.

Mr. Douthwaite spoke again in favor of the amendments to the committee amendment.

The amendments were not adopted.

Mr. Keller moved adoption of the following amendments to the committee amendment:  
 On page 57, line 11 strike "\$15,228,000" and insert "\$15,380,700"  
 On page 57, line 16 strike "\$34,075,000" and insert "\$34,198,000"

Mr. Keller spoke in favor of the amendments, and Mr. Shinpoch spoke against them.

The amendments were not adopted.

Mr. Keller moved adoption of the following amendment to the committee amendment:

On page 49, line 9 strike "\$1,539,059" and insert "\$1,624,626" and add ": PROVIDED, That the total appropriation shall be reduced by the amount of any indirect administrative costs made available to the Board of Prison Terms and Paroles through Law Enforcement Assistance Administration federal funding, and such difference shall revert to the general fund."

The amendment was not adopted.

The Clerk read the following amendment to the committee amendment by Representative Burns:

On page 53, line 27 after "governments" insert "and private parties"

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

Mr. Warnke moved adoption of the following amendment:

On page 56, line 6 insert the following new section:

**"NEW SECTION, Sec. 81. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$ 3,638,979
General Fund Appropriation—Federal .....	\$ 32,199
Motor Vehicle Fund Appropriation .....	\$ 289,928
Total Appropriation .....	\$ 3,961,106*

Renumber the remaining sections consecutively.

Representatives Warnke and Greengo spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

Representative Moreau reappeared at the bar of the House.

Representative Hurley (Margaret) moved adoption of the following amendment to the committee amendment:

On page 54, line 6 after "county" insert "(e) Not more than \$50,000 shall be expended exclusively for a camping reservation system"

Mrs. Hurley (Margaret) spoke in favor of the amendment.

The amendment was not adopted.

Mr. Dunlap moved adoption of the following amendments by Representatives Dunlap and Berentson to the committee amendment:

On page 50, line 8 strike "738,000" and insert "762,546"

On page 50, line 10 strike "2,073,297" and insert "2,097,843"

Representatives Dunlap and Berentson spoke in favor of the amendments, and Mr. Lysen spoke against them.

#### POINT OF ORDER

Mr. Polk: "Representative Lysen is not talking about the amendment; he's talking about the work in the Energy Committee, and I think that's totally out of place."

The Speaker: "Your point is well taken. Confine your remarks to the amendment, Representative Lysen."

Mr. Lysen continued his remarks in opposition to the amendments, and Mr. Shinpoch spoke also against the amendments.

Mr. Polk spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Dunlap and Berentson to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were not adopted by the following vote: Yeas, 30; nays, 68; not voting, 0.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Gallagher, Gilleland, Greengo, Haley, Hurley M., Lee, Nelson G. A., Oliver, Pardini, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Whiteside, Wilson.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Mr. Lysen moved adoption of the following amendment to the committee amendment:

On page 50, after line 10 insert:

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

(1) Not more than \$333,000 and 13 FTE staff years of the general fund appropriation - state contained in this section shall be expended in FY 1978.

(2) In approving allotments for expenditures from the remaining general fund appropriation - state contained in this section, the office of program planning and fiscal management shall require the office to secure program review and approval of the office's FY 1979 program from the Senate and House Committees on Energy and Utilities."

Mr. Lysen spoke in favor of the amendment.

#### MOTION

Mr. Pardini moved that the question be divided and that (1) and (2) of the amendment be considered separately.

The motion was carried.

Mr. Lysen spoke in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lysen to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was adopted by the following vote: Yeas, 69; nays, 29; not voting, 0.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Gaines, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Paris, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Blair, Chandler, Clayton, Craswell, Deccio, Flanagan, Fuller, Gallagher, Grier, Hurley M., Knowles, Leckenby, May, McCormick, Nelson G. A., Newhouse, Patterson, Pearsall, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Zimmerman.

The Speaker stated the question before the House to be the second part of the Lysen amendment beginning with (2).

With the consent of the House, Mr. Lysen withdrew the amendment to the committee amendment.

Mr. Martinis moved adoption of the following amendment:

On page 53, beginning on line 9 strike all of section 79 and renumber the remaining sections consecutively.

Mr. Martinis spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Martinis to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 2; nays, 96; not voting, 0.

Voting yea: Representatives Charette, Conner.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

#### POINT OF PERSONAL PRIVILEGE

Mr. Martinis: "I'd like to explain to the House that that was a very facetious amendment. I thought with these very serious times that we've had today we are all getting tired and we're getting chair sores, and I thought a little bit of humor should be injected into today's operation."

Mr. Hanna moved adoption of the following amendments to the committee amendment:

On page 38, beginning on line 5 strike all the material down to and including "January 1, 1979" on line 17

On page 36, line 1 strike "16,644,000" and insert "14,344,000"

On page 36, line 3 strike "40,537,000" and insert "38,237,000"

Representatives Hanna and McKibbin spoke in favor of the amendments.

Mr. Hanna spoke again in favor of the amendments.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "As I understand it, we're working on the first three amendments which effectively remove the program from the DSHS budget prior to the time where the second three Hanna amendments would put the program back in the Employment Security budget. Is that correct?"

The Speaker: "That's correct."

Mr. Polk: "So would the effect of voting no on this be to leave it in DSHS and possibly put it in Employment Security also?"

The Speaker: "If the first three amendments were to fail and the second three were to pass, that, in effect, would be the result. A vote yes for the first three Hanna amendments is saying, yes, you want to move the program into Employment Security and a vote yes on the second three amendments would accomplish that."

Mr. Polk spoke against the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Hanna to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were adopted by the following vote: Yeas, 74; nays, 24; not voting, 0.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charney, Clemente, Conner, Crowsell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Tallier, Thompson, Valle, Vrooman, Walk, Warnke, Whiteaide, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Kilbury, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Wilson.

Mr. Hanna moved adoption of the following amendments to the committee amendment:

On page 49, line 19 strike "2,540,718" and insert "4,840,718"

On page 49, line 25 strike "94,131,805" and insert "96,431,805"

On page 50, following line 6 insert a new subsection as follows:

"(4) Up to \$2,300,000 of the general fund appropriation—state contained in this section shall be expended to continue employment orientation and career change programs. The department shall contract for the programs. Contracts awarded under this subsection shall contain performance specifications and financial penalties to the contractor for nonperformance. The contracting process shall stress past performance by potential contractors in the implementation of these programs. A legislative review committee comprised of the majority and minority leaders of both houses, the chairman of the appropriations committee of the House, and the chairman of the ways and means committee of the Senate shall be created to audit the performance of the programs and contracting agencies. A report on the performance of the program shall be made to the legislature no later than January 1, 1978, and January 1, 1979."

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, the amendment is an amendment to be inserted. Representative McKibbin is offering an amendment to strike it after it is inserted and Representative McKibbin's amendment, under Reed's Rule 136, would be out of order."

The Speaker: "We don't have a striking amendment by Representative McKibbin, so your point is not well taken, Representative Pardini."

Representatives Hanna, Boldt and Polk spoke in favor of the amendments, and Mr. McKibbin spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Hanna to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were adopted by the following vote: Yeas, 78; nays, 20; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Conner, Craswell, Deccio, Dunlap, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bender, Blair, Burns, Charney, Clemente, Douthwaite, Ehlers, Enbody, Erickson, Lysen, McKibbin, North, Pruitt, Sherman, Shinpoch, Sommers, Tilly, Warnke, Williams.

Mr. Bond moved adoption of the following amendment by Representatives Bond, Hansen and Struthers to the committee amendment:

On page 60, after line 16 insert the following:

"(3) Not more than \$2,138,667 of the General Fund Appropriation and 70.0 FTE staff years shall be expended exclusively for the Bureau of Criminal Identification Section, (BCI)."

Representatives Bond, Conner, Hansen, Ehlers and Berentson spoke in favor of the amendment, and Representatives Shinpoch and Blair spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bond, Hansen and Struthers to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was adopted by the following vote: Yeas, 76; nays, 22; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Chandler, Charette, Charney, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., King, Knedlik, Knowles, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Boldt, Burns, Clemente, Douthwaite, Enbody, Grimm, Gruger, Hughes, Hurley G. S., Keller, Kilbury, Kreidler, Lux, McKibbin, Nelson D., Pruitt, Salatino, Shinpoch, Sommers, Vrooman, Williams, Zimmerman.

On motion of Mr. King, Representative O'Brien was excused from the Call of the House.

Mr. Berentson moved adoption of the following amendment by Representatives Berentson, Hansen, Bond, Struthers and Fancher to the committee amendment:

On page 60, after line 16 insert the following:

"(3) Not more than \$609,946 of the general fund appropriation and 22.0 FTE staff years shall be expended exclusively for the Drug Control Assistance Unit, (DCAU)."

Representatives Berentson, Conner, Struthers and Fancher spoke in favor of the amendment, and Mr. Blair spoke against it.

The amendment was adopted.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna, Conner, Ehlers and Deccio to the committee amendment:

On page 60, immediately following line 16 insert a new subsection as follows:

"(3) Of this sum, up to \$821,091, including \$170,000 of LEAA funds, shall be expended for the Organized Crime Intelligence Unit: PROVIDED, That \$410,545, or as much as necessary for fiscal year 1979 operations, not be released by the Office of Program Planning and Fiscal Management pending an interim study by the Legislature and joint approval of the Senate Committee on Ways and Means and the House Committee on Appropriations."

Representatives Hanna and Conner spoke in favor of the amendment, and it was adopted.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Walk, Fuller, Valle and Sherman to the committee amendment:

On page 62, line 1 strike "\$9,962,808" and insert "\$12,062,608" and on line 5 strike "\$15,619,058" and insert "\$17,719,058"

Representatives Ehlers, Dunlap, Clemente and King spoke in favor of the amendment, and Representatives Becker, Polk, Fortson and Shinpoch spoke against it.

Mr. Ehlers spoke again in favor of the amendment.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 31; nays, 66; not voting, 1.

Voting yea: Representatives Barnes, Bauer, Charnley, Clemente, Dunlap, Ehlers, Eng, Erak, Erickson, Fischer, Fuller, Grimm, Hawkins, Heck, Hurley G. S., Keller, King, Knedlik, Kreidler, Lee, Lysen, Maxie, Nelson D., Pruitt, Sherman, Sommers, Valle, Walk, Warnke, Whiteside, Williams.

Voting nay: Representatives Adams, Amen, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Conner, Craswell, Deccio, Douthwaite, Enbody, Fancher, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hughes, Hurley M., Kilbury, Knowles, Leckenby, Lux, Martinis, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representative O'Brien.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Erickson and Taller to the committee amendment:

On page 64, line 28 insert:

'(9) In the event that a work stoppage is in progress on the date/dates on which a district's enrollment for general apportionment purposes is computed, a district shall have the option of using the date five school days after the end of the work stoppage for determining enrollment for general apportionment purposes.'

Representatives Sommers, Taller and Fuller spoke in favor of the amendment, and Mr. King spoke against it.

## POINT OF INQUIRY

Ms. Sommers yielded to question by Ms. Erickson.

Ms. Erickson: "Does this amendment have the effect of reducing the school year from the present 180 days?"

Ms. Sommers: "No, it does not. They would be required to fulfill their normal number of days of instruction."

Representatives Erickson and Barnes spoke in favor of the amendment, and Representatives Shipoch and Clemente spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 36; nays, 61; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Burns, Charnley, Clayton, Deccio, Douthwaite, Erickson, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Sommers, Struthers, Taller, Tilly, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Bond, Chandler, Charette, Clemente, Conner, Craswell, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, Oliver, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Thompson, Valle, Vrooman, Walk, Williams, Winsley, and Mr. Speaker.

Not voting: Representative O'Brien.

Mr. Hurley (George) moved adoption of the following amendment by Representatives Hurley (George), Blair, Chandler and Becker to the committee amendment:

On page 68, line 7 add a new subsection:

'(6) The superintendent shall distribute not more than \$140,000 for development of a testing center program for learning for disabled children.'

Mr. Hurley (George) spoke in favor of the amendment, and Mr. Blair spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (George) and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Conner, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Fuller, Gaines, Greengo, Grier, Gruger,

Hanna, Hawkins, Hughes, Hurley G. S., Knedlik, Kreidler, Leckenby, Lux, Maxie, Nelson D., Pardini, Pruitt, Salatino, Sanders, Sherman, Valle, Warnke, Williams, Zimmerman.

Voting nay: Representatives Amen, Barr, Bauer, Berentson, Bond, Charette, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Erickson, Flanagan, Fortson, Gallagher, Gilleland, Grimm, Haley, Hansen, Heck, Hurley M., Keller, Kilbury, King, Knowles, Lee, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative O'Brien.

Mr. Charnley moved adoption of the following amendments by Representatives Charnley and Chandler to the committee amendment:

On page 68, line 9 strike "1,540,675" and insert "2,250,000"

On page 68, line 10 strike "1,540,675" and insert "2,250,000"

On page 68, line 12 strike "3,100" and insert "6,000"

On page 68, line 13 strike "4,000" and insert "7,000"

Mr. Charnley spoke in favor of the amendments.

### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Charnley and Chandler to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were adopted by the following vote: Yeas, 62; nays, 35; not voting, 1.

Voting yea: Representatives Barr, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Gruger, Haley, Hanna, Hawkins, Hurley G. S., King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Maxie, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Smith, Struthers, Taller, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Amen, Barnes, Bauer, Becker, Charette, Conner, Douthwaite, Erak, Fortson, Gallagher, Grier, Grimm, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, Kreidler, Martinis, May, McKibbin, North, Owen, Paris, Patterson, Pearsall, Salatino, Shipoch, Sommers, Thompson, Walk, Zimmerman, and Mr. Speaker.

Not voting: Representative O'Brien.

Mr. Whiteside moved adoption of the following amendment by Representatives Whiteside and Douthwaite to the committee amendment:

On page 69, lines 28 and 29 strike "\$9,980,104" and insert "\$11,177,716"

Representatives Whiteside and Nelson (Dick) spoke in favor of the amendment, and Mr. Shipoch spoke against it.

The amendment was not adopted.

Ms. Becker moved adoption of the following amendment by Representatives Becker, Amen and Erickson to the committee amendment:

On page 70, line 8 insert the following:

"No part of this appropriation shall be expended until the number of educational service districts has been restored to the number that existed prior to September 1, 1976."

Representatives Becker, Warnke, Amen, Hansen and Knedlik spoke in favor of the amendment, and Representatives Clemente and Heck spoke against it.

Ms. Becker spoke again in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Becker, Amen and Erickson to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was adopted by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Adams, Amen, Becker, Berentson, Bond, Chandler, Charette, Clayton, Conner, Ehlers, Erak, Erickson, Fancher, Flanagan, Fortson, Gaines, Gallagher, Grimm, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., King, Knedlik, Leckenby, Lee, Lux, Maxie, May, Moreau, Nelson D., Newhouse, North, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Smith, Struthers, Thompson, Tilly, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Barnes, Barr, Bauer, Bender, Blair, Boldt, Burns, Charnley, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Fischer, Fuller, Gilleland, Greengo, Grier, Gruger, Haley, Heck, Hughes, Keller, Kilbury, Knowles, Kreidler, Lysen, Martinis, McCormick, McKibbin, Nelson G. A., Owen, Sanders, Shipoch, Sommers, Taller, Valle, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representative O'Brien.

Mr. Dunlap moved adoption of the following amendment by Representatives Dunlap and Clemente to the committee amendment:

On page 71, following section 111 insert the following:

**\*NEW SECTION, Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION — IMPLEMENTATION OF LEARNING OBJECTIVES PROGRAM**

General Fund Appropriation ..... \$ 315,000  
 Total Appropriation ..... \$ 315,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$315,000 shall be contingent on chapter... (SHB 697), Laws of 1977 1st ex. sess. becoming law.\*

Representatives Dunlap and Clemente spoke in favor of the amendment, and it was adopted.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Maxie, Nelson (Dick), Pruitt and Lee to the committee amendment:

On page 64, following line 27 insert the following:

\*(8) An urban school district as defined by the superintendent shall receive an additional entitlement of certificated and/or classified full time equivalent staff units as determined by the superintendent based on full time equivalent student enrollment because of the increased costs of operating school plants within urban areas.\*

Representatives Lux, Pruitt and Lee spoke in favor of the amendment, and Representatives Shinpoch and Becker spoke against it.

Mr. Newhouse demanded the previous question, and the demand was sustained.

Mr. Lux closed debate, speaking again in favor of the amendment.

The amendment was not adopted.

Mrs. Lee moved adoption of the following amendment by Representatives Lee, Zimmerman, Barnes, Lysen and Heck to the committee amendment:

On page 71, after section 111, insert a new section as follows:

**\*NEW SECTION, Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION — SPECIAL LEVY RELIEF FOR FISCAL YEAR 1978.**

General Fund Appropriation ..... \$10,000,000  
 Total Appropriation ..... \$10,000,000

The superintendent of public instruction during the 1977-78 fiscal year shall distribute these funds to each school district qualifying under either (1) or (2):

(1) The superintendent of public instruction shall provide the amount of \$150 per full time equivalent pupil, subject to subsection (3), for each school district having failed to pass all maintenance and operations excess levy propositions at the maximum number of elections provided by law for submission of such levies where such funds were sought to be collected during the 1978 calendar year.

(2) In the event the school district has failed any maintenance and operation excess levy proposition at the maximum number of elections provided by law for submission of such levies and where such funds were sought to be collected during the 1978 calendar year and if the total amount of levy passage equaled less than \$150 per full time equivalent pupil for use in the 1977-78 school year, the superintendent of public instruction shall provide the difference between the total amount of the levy passed and \$150 per full time equivalent pupil such that these districts will be brought up to \$150, subject to subsection (3).

(3) Funds available to a district from previously passed special maintenance and operation levies to be collected during the 1977-1978 school year shall be computed on the basis of currently enrolled full time equivalent students and this amount shall be deducted from the \$150 grant in subsection (1) and the less than \$150 grant under subsection (2).\*

Representatives Lee, Zimmerman and Lysen spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mrs. Lee spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Gaines moved adoption of the following amendment by Representatives Gaines and Charnley to the committee amendment:

On page 73, beginning on line 7 strike all of subsection (4) and renumber the remaining subsections consecutively.

Representatives Gaines and Charnley spoke in favor of the amendment, and Mr. McKibbin spoke against it.

The amendment was not adopted.

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 62, after line 21 insert:

"During the 1977-78 school year the superintendent of public instruction shall distribute not more than \$1,627,000 of the funds appropriated by this section, outside of the apportionment formula to school districts of which \$480,000 shall be for the following purposes: To pay fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by the provisions of RCW 52.36.020 by the expenditure of not more than \$280,000; to pay for school district emergencies by the expenditure of not more than \$200,000."

On page 64, after line 27 insert:

"(9) During the 1978-79 school year the superintendent of public instruction shall distribute not more than \$480,000 of the funds appropriated by this section, outside of the basic education allocation to school districts for the following purposes: To pay fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by the provisions of RCW 52.36.020 by the expenditure of not more than \$280,000; To pay for school district emergencies by the expenditure of not more than \$200,000."

Mr. Salatino moved adoption of the following amendments by Representatives Salatino, Walk, Hughes, Winsley, Adams, Enbody, Nelson (Dick), Pruitt, Burns, Eng, Maxie, Valle, Grimm, Pearsall, Vrooman, Gallagher and Erak:

On page 62 strike section 95 and insert the following:

**\*NEW SECTION. Sec. 95. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION - GENERAL APPORTIONMENT FOR FISCAL YEAR 1978**

General Fund Appropriation:

For General Apportionment .....	\$ 635,650,252
Total Appropriation .....	\$ 635,650,252

The schedule used by the superintendent of public instruction during the 1977-78 fiscal year in computing the apportionment of these funds for each school district shall be based on the full-time equivalent student enrollment for each district as follows:

- (1) The superintendent shall utilize the 1976-77 staff characteristic of each school district for purposes of determining the 1977-78 weighted student enrollment;
- (2) The superintendent shall distribute to each district, in accordance with the provisions of RCW 28A.41.130, an equalized guarantee of \$538 per weighted student;
- (3) In addition to the distribution under subsection (2) of this section, the superintendent shall distribute to each school district an amount not to exceed \$64 per average annual full-time equivalent student;
- (4) In addition to the distributions under subsections (2) and (3) of this section, the superintendent shall distribute \$37,628,123 of the amount appropriated by this section in variable amounts to the districts to insure that the support per full-time equivalent student specified for each district in Section 96 of this act will be achieved."

On page 62, line 25 strike "795,368,528" and insert "843,213,840"

On page 62, line 26 strike "795,368,528" and insert "843,213,840"

On page 62, beginning with line 31 strike all the language down to and including "year" on page 64, line 27 and insert the following:

Cnty	Dist	Names	1978-79 \$/FTE
01	109	Washtucna	1233
01	122	Benge	1123
01	147	Othello	1322
01	158	Lind	1294
01	160	Ritzville	1290
02	250	Clarkston	1294
02	310	Anatone	
02	400	Asotin	1217
03	017	Kennewick	1355
03	050	Paterson	1133
03	052	Kiona-Benton	1208
03	053	Finley	1288
03	116	Prosser	1311
03	400	Richland	1411
04	019	Manson	1238
04	069	Stehekin	955

Cnty	Dist	Names	1978-79 \$/FTE
04	127	Entiat	1236
04	128	Leavenworth	1211
04	129	Lake Chelan	1310
04	200	Peshastin-Dryden	1306
04	222	Cashmere	1373
04	246	Wenatchee	1396
05	121	Port Angeles	1461
05	313	Crescent	1146
05	323	Sequim	1323
05	401	Cape Flattery	1269
05	402	Quillayute Valley	1314
06	037	Vancouver	1426
06	098	Hockinson	1298
06	101	Lacenter	1224
06	103	Green Mountain	1076
06	112	Washougal	1322
06	114	Evergreen	1367
06	117	Camas	1410
06	119	Battle Ground	1321
06	122	Ridgefield	1273
07	002	Dayton	1213
07	035	Starbuck	1176
08	118	Carrolls	1365
08	122	Longview	1380
08	130	Toutle Lake	1179
08	401	Castle Rock	1323
08	402	Kalama	1238
08	404	Woodland	1267
08	453	Kelso	1325
09	013	Orondo	1188
09	075	Bridgeport	1140
09	102	Palisades	1259
09	206	Eastmont	1395
09	207	Mansfield	1120
09	209	Waterville	1269
10	003	Keller	1065
10	050	Curlew	1122
10	060	Hazelmere	653
10	065	Orient	953
10	070	Inchelium	1154
10	309	Republic	1172
11	001	Pasco	1369
11	051	North Franklin	1302
11	054	Star	1116
11	056	Kahlotus	1216
12	110	Pomeroy	1287
13	073	Wahluke	1196
13	128	Hartline	1202
13	144	Quincy	1340
13	146	Warden	1291
13	150	Coulee City	1201

Cnty	Dist	Names	1978-79 \$/FTE
13	156	Soap Lake	1226
13	160	Royal	1239
13	161	Moses Lake	1317
13	165	Ephrata	1302
13	167	Wilson Creek	1177
13	301	Grand Coulee Dam	1228
14	005	Aberdeen	1405
14	028	Hoquiam	1386
14	064	North Beach	1315
14	065	McCleary	1234
14	066	Montesano	1310
14	068	Elma	1307
14	077	Taholah	1284
14	097	Quinalt	1210
14	099	Cosmopolis	1378
14	104	Satsop	1150
14	117	Wishkah Valley	1117
14	172	Ocosta	1305
14	400	Oakville	1175
15	201	Oak Harbor	1402
15	204	Coupeville	1290
15	206	South Whidbey	1338
16	020	Clearwater	1242
16	046	Brinnon	1139
16	048	Quilcene	1219
16	049	Chimacum	1332
16	050	Port Townsend	1363
17	001	Seattle	1546
17	195	Lester	1115
17	210	Federal Way	1358
17	216	Enumclaw	1381
17	400	Mercer Island	1495
17	401	Highline	1484
17	402	Vashon Island	1340
17	403	Renton	1485
17	404	Skykomish	1221
17	405	Bellevue	1548
17	406	South Central	1474
17	407	Lower Snoqualmie	1307
17	408	Auburn	1401
17	409	Tahoma	1369
17	410	Snoqualmie Valley	1404
17	411	Issaquah	1390
17	412	Shoreline	1487
17	414	Lake Washington	1411
17	415	Kent	1405
17	417	Northshore	1455
18	100	Bremerton	1471
18	303	Bainbridge	1401
18	400	North Kitsap	1431
18	401	Central Kitsap	1386

Cnty	Dist	Names	1978-79 \$/FTE
18	402	South Kitsap	1365
19	007	Damman	796
19	028	Easton	1119
19	400	Thorp	1225
19	401	Ellensburg	1373
19	403	Kittitas	1273
19	404	Cle Elum-Roslyn	1215
20	094	Wishram	1145
20	203	Bickleton	1185
20	215	Centerville	1037
20	400	Trout Lake	1157
20	401	Glenwood	1150
20	402	Klickitat	1211
20	403	Roosevelt	1085
20	404	Goldendale	1225
20	405	White Salmon	1254
20	406	Lyle	1186
21	014	Napavine	1147
21	018	Vader	1160
21	036	Evaline	892
21	206	Mossyrock	1141
21	214	Morton	1346
21	226	Adna	1190
21	232	Winlock	1263
21	234	Boistfort	1092
21	237	Toledo	1246
21	300	Onalaska	1123
21	301	Pe Ell	1275
21	302	Chehalis	1378
21	303	White Pass	1312
21	401	Centralia	1390
22	008	Sprague	1214
22	009	Reardan	1290
22	017	Almira	1163
22	073	Creston	1194
22	105	Odeasa	1261
22	200	Wilbur	1235
22	204	Harrington	1239
22	207	Davenport	1227
23	042	Southside	1215
23	054	Grapeview	1228
23	309	Shelton	1230
23	311	Mary M. Knight	1234
23	402	Pioneer	1213
23	403	North Mason	1308
23	404	Hood Canal	1317
24	014	Nespelem	1128
24	019	Omak	1167
24	105	Okanogan	1304
24	111	Brewster	1236
24	118	Riverside	

Cnty	Dist	Names	1978-79 \$/FTE
24	122	Pateros	1205
24	350	Methow Valley	1167
24	404	Tonasket	1254
24	410	Oroville	1220
25	101	Ocean Beach	1297
25	116	Raymond	1304
25	118	South Bend	1264
25	155	Naselle Grays Riv	1306
25	160	Willapa Valley	1328
25	200	North River	1167
26	056	Newport	1275
26	059	Cusick	1159
26	070	Selkirk	1084
27	001	Steilacoom Hist.	1312
26	003	Puyallup	1468
27	010	Tacoma	1498
27	083	University Place	1426
27	320	Sumner	1379
27	343	Dieringer	1355
27	344	Orting	1229
27	400	Clover Park	1417
27	401	Peninsula	1401
27	402	Franklin Pierce	1464
27	403	Bethel	1335
27	404	Eatonville	1285
27	406	Carbonado	1281
27	416	White River	1335
27	417	Fife	1383
28	010	Shaw	709
28	137	Orcas	1298
28	144	Lopez	1225
28	149	San Juan	1305
29	100	Burlington Edison	1409
29	101	Sedro Woolley	1389
29	102	Concrete	1246
29	103	Anacortes	1411
29	311	La Conner	1292
29	317	Conway	1282
29	320	Mt. Vernon	1372
30	002	Skamania	1303
30	029	Mount Pleasant	1154
30	031	Mill A	1235
30	303	Stevenson-Carson	1449
31	002	Everett	1483
31	004	Lake Stevens	1364
31	006	Mukilteo	1435
31	015	Edmonds	1473
31	016	Arlington	1379
31	025	Marysville	1384
31	063	Index	1191
31	103	Monroe	1315



Cnty	Dist	Names	1978-79 \$/FTE
31	201	Snohomish	1406
31	306	Lakewood	1211
31	311	Sultan	1314
31	330	Darrington	1317
31	332	Granite Falls	1284
31	401	Stanwood	1312
32	081	Spokane	1434
32	123	Orchard Prairie	1120
32	312	Great Northern	899
32	325	Nine Mile Falls	1346
32	326	Medical Lake	1305
32	354	Mead	1378
32	356	Central Valley	1361
32	358	Freeman	1300
32	360	Cheney	1387
32	361	East Valley	1345
32	362	Liberty	1283
32	363	West Valley	1388
32	414	Deer Park	1256
32	416	Riverside	1234
33	030	Onion Creek	780
33	036	Chewelah	1230
33	049	Wellpinit	1128
33	070	Valley	1101
33	115	Colville	1208
33	183	Loon Lake	1155
33	202	Summit Valley	841
33	205	Evergreen	753
33	206	Columbia	1110
33	207	Mary Walker	1152
33	211	Northport	1149
33	212	Kettle Falls	1160
34	002	Yelm	1311
34	003	North Thurston	1433
34	033	Tumwater	1431
34	111	Olympia	1446
34	307	Rainier	1224
34	324	Griffin	1301
34	401	Rochester	1211
34	402	Tenino	1226
35	200	Wahkiakum	1298
36	101	Dixie	1136
36	140	Walla Walla	1392
36	250	College Place	1200
36	300	Touchet	1147
36	400	Columbia	1292
36	401	Waitsburg	1289
36	402	Prescott	1298
37	500	High Cascades	
37	501	Bellingham	1431
37	502	Ferndale	1388

Cnty	Dist	Names	1978-79 \$/FTE
37	503	Blaine	1392
37	504	Lynden	1299
37	505	Meridian	1245
37	506	Nooksack Valley	1267
37	507	Mount Baker	1314
38	126	Lacrosse Joint	1236
38	264	Lamont	1215
38	265	Tekoa	1246
38	267	Pullman	1360
38	300	Colfax	1312
38	301	Palouse	1264
38	302	Garfield	1274
38	304	Steptoe	1196
38	306	Colton	1221
38	308	Endicott	1249
38	320	Rosalia	1238
38	322	St. John	1228
38	324	Oakesdale	1198
39	002	Union Gap	1254
39	003	Naches Valley	1283
39	007	Yakima	1313
39	090	Moxee	1245
39	119	Selah	1249
39	120	Mabton	1176
39	200	Grandview	1283
39	201	Sunnyside	1312
39	202	Toppenish	1305
39	203	Highland	1278
39	204	Granger	1261
39	205	Zillah	1211
39	207	Wapato	1274
39	208	West Valley	1303
39	209	Mount Adams	1189

150 It is the intent of the legislature to equalize the state dollar support per FTE student by the 1982-83 program year. To this end the legislature intends to improve the support per FTE student to \$1,811 in the 1982-83 program year in each school district.

Not more than \$6,700,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1978-79 school year from the 1977-78 base enrollment level for certificated staff. The superintendent of public instruction in ascertaining the full-time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or 300 full-time equivalent students, whichever is less, from the immediately preceding year, shall increase the enrollment as otherwise herein computed by fifty percent of the full-time equivalent pupil enrollment loss from the previous year."

On page 64, line 27 strike all of section 97 and insert the following:

**"NEW SECTION. Sec. 97. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION - SMALL DISTRICT ADJUSTMENT FOR FISCAL YEAR 1979**

General Fund Appropriation .....	\$	2,056,696
Total Appropriation .....	\$	2,056,696

The schedule used by the superintendent of public instruction during the 1978-79 fiscal year in computing the distribution of these funds for each school district shall be based on the following:

(1) A school district with an average annual FTE enrollment of 40 students or less in grades K-6 shall receive an entitlement equal to the FTE value of 40 students as provided in section 96 of this act.

(2) A school district with an average annual FTE enrollment of 20 students or less in grades 7-8 shall receive an entitlement equal to the FTE value of 20 students as provided in section 96 of this act.

(3) A school district with an average annual FTE enrollment of 100 students or less in grades 9-12 shall receive an entitlement equal to the FTE value of 100 students as provided in section 96 of this act."

On page 65, line 26 strike all of section 98 and insert the following:

**"NEW SECTION. Sec. 98. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION - SPECIAL APPROPRIATIONS FOR CATEGORICAL PROGRAM STAFF FOR FISCAL YEAR 1979**

General Fund Appropriation .....	\$ 27,269,189
Total Appropriation .....	\$ 27,269,189

The schedule used by the superintendent of public instruction during the 1978-79 fiscal year in computing the distribution of these funds for each school district shall be based on the following:

(1) Funds provided in this section shall be distributed to ensure that districts receive \$870 for each certificated and classified categorical staff unit and an additional amount for payroll benefits equal to 6.23 percent of each district's certificated average salary and 13.90 percent of each district's classified average salary.

(2) The balance of funds provided in this subsection shall be used to grant salary increases in the 1978-79 program year to categorical staff."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. King, further consideration of the amendments by Representative Salatino and others was deferred until action was taken on the Hanna amendments to page 60.

Ms. Maxie moved adoption of the following amendment to the committee amendment by Representatives Maxie, Erickson, Lux, Chandler, Burns and Pardini:

On page 75, line 7 strike the period after "students" and insert ": PROVIDED, That \$200,000 of the above amount may be utilized by the state board to continue the operation of an office of minority affairs at the state office."

Representatives Maxie, Charette and Pardini spoke in favor of the amendment, and it was adopted.

On motion of Mr. Hansen, the following amendment to the committee amendment by Representatives Hansen, Flanagan, Boldt and Oliver was adopted:

On page 76, line 1 after "College," insert "81.2% of formula entitlement for faculty staffing at Central Washington State College; 80% of formula entitlement for faculty staffing at"

Mr. Boldt moved adoption of the following amendment to the committee amendment by Representatives Boldt and Kilbury:

On page 81, line 13 following "support." insert "An amount of \$50,000.00 shall be expended for instructional services for development and operation of educational services in the Tri Cities area of Benton and Franklin counties."

Mr. Boldt spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Boldt and Hansen to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was adopted by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Conner, Deccio, Ehlers, Enbody, Fischer, Flanagan, Fortson, Fuller, Gilleland, Groengo, Grimm, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, Knedlik, Leckenby, Lee, Lux, Lysen, Nelson G. A., Newhouse, North, Oliver, Pardini, Patterson, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Struthers, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Adams, Bauer, Bender, Bond, Clemente, Craswell, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Gaines, Gallagher, Grier, Gruger, Haley, Hanna, Heck, Hurley M., King, Knowles, Kridler, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Owen, Paris, Pearsall, Sanders, Shinpoch, Smith, Sommers, Toller, Thompson, Valle, Warnke, Williams, Zimmerman.

Not voting: Representative O'Brien.

On motion of Mr. Hansen, the following amendments to the committee amendment by Representatives Hansen, Flanagan, Boldt and Oliver were adopted:

On page 81, line 6 after "Appropriation" strike "\$20,219,999" and insert "\$20,472,636"

On page 81, line 7 after "Appropriation" strike "\$20,219,999" and insert "\$20,472,636"

On page 81, line 8 after "exceed" strike "\$17,991,000" and insert "\$18,243,637"

On page 81, line 20 after "Appropriation" strike "\$2,133,974" and insert "\$2,204,420"

On page 81, line 21 after "Appropriation" strike "\$2,133,974" and insert "\$2,204,420"

Mr. Knedlik moved adoption of the following amendment to the committee amendment:  
On page 89, lines 33 and 34 strike all of subsection (18) and renumber the remaining subsections consecutively.

Mr. Knedlik spoke in favor of the amendment, and Mr. Charette spoke against it.

On motion of Mr. Berentson, Representative Paris was excused from the Call of the House.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Smith.

Mr. Smith: "Representative Charette, in your research into this question in activities on the Belated Claims Committee, can you tell me whether the beaver are liable for treble damages for unlawful cutting of timber?"

Mr. Charette: "The beaver are not liable for treble damages, but I would remind you that with a bill that we passed through this House, if it gets any action in the Senate, if you run over a cow in the highway you're going to be stuck for treble damages."

Mr. Polk spoke against the amendment.

The amendment was not adopted.

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 78, line 19 strike "150,244,945" and insert "152,039,527"

On page 78, line 22 strike "151,741,055" and insert "153,535,637"

On page 78, line 23 strike "126,759,116" and insert "128,553,698"

Mr. Bond moved adoption of the following amendments to the committee amendment:

On page 81, line 32 strike "8,477,999" and insert "5,258,071"

On page 81, line 33 strike "8,477,999" and insert "5,258,071"

On page 82, line 1 strike "7,606,181" and insert "4,582,000"

On page 82, line 4 strike "850,747" and insert "655,000"

On page 82, line 8 strike "2,194,159" and insert "2,174,000"

On page 82, line 9 strike "2,194,159" and insert "2,174,000"

On page 82, line 12 strike "991,763" and insert "870,000"

On page 82, line 13 strike "991,763" and insert "870,000"

On page 82, line 16 strike "2,767,007" and insert "2,335,000"

On page 82, line 17 strike "2,767,007" and insert "2,335,000"

On page 82, line 20 strike "4,107,102" and insert "2,969,000"

On page 82, line 21 strike "4,107,102" and insert "2,969,000"

Mr. Bond spoke in favor of the amendments, and Representatives Kreidler, Charnley and Heck spoke against them.

Mr. Bond spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Bond moved adoption of the following amendment to the committee amendment:

On page 82, line 18 after section 146, insert "An amount not to exceed \$50,000 from this appropriation shall be expended to the Washington state commission on educational structure and management for a study to determine the most efficient method of phasing out The Evergreen State College."

Mr. Bond spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Bond yielded to question by Mr. Keller.

Mr. Keller: "Representative Bond, I'm a little perplexed or concerned. I have always thought you to be a fiscal conservative, and I've noticed that certain members of the Senate feel the same thing can be accomplished for \$25,000, and I'm wondering why your amendment calls for \$50,000?"

Mr. Bond: "My amendment adds nothing to the budget. This \$50,000 is simply part of the expenditure contained in section 146. It costs us nothing, you see. We're going to spend the money anyway and we should spend it for a good cause."

Ms. Becker demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to the committee amendment to Substitute Senate Bill No. 3109, and the amendment to the amendment was not adopted by the following vote: Yeas, 15; nays, 81; not voting, 2.

Voting yea: Representatives Barnes, Barr, Bond, Craswell, Dunlap, Fancher, Fischer, Gilleland, Hurley M., Nelson G. A., Patterson, Polk, Struthers, Tilly, Winsley.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, Oliver, Owen, Pardini, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives O'Brien, Paris.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 92, after line 29 add a new subsection as follows:

\*(26) Leon E. Mann, payment of World War II

veterans' bonus ..... \$435.00\*

Mr. Tilly spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Tilly spoke again in favor of the amendment, and it was not adopted.

Mr. Oliver moved adoption of the following amendments to the committee amendment:

On page 9, line 10 strike "20,236,196" and insert "19,472,064"

On page 9, line 13 strike "14,771,140" and insert "14,213,324"

On page 9, line 29 strike "5,465,056" and insert "5,258,740"

Mr. Oliver spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Oliver to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were not adopted by the following vote: Yeas, 19; nays, 77; not voting, 2.

Voting yea: Representatives Berentson, Boldt, Bond, Clayton, Craswell, Dunlap, Fancher, Gilleland, Haley, Hurley M., Oliver, Patterson, Polk, Sanders, Schmitt, Struthers, Tally, Tilly, Winsley.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives O'Brien, Paris.

Mr. Oliver moved adoption of the following amendment to the committee amendment:

On page 11, line 36 after "Management" insert ": PROVIDED, That no institution of higher education or community college shall grant any increase in compensation from the funds provided for in this section for student or graduate student employees."

Representatives Oliver and Shinpoch spoke in favor of the amendment, and Mr. Hurley (George) spoke against it.

The amendment was adopted.

Mr. Polk moved adoption of the following amendments to the committee amendment by Representatives Polk and Hawkins:

On page 12, line 5 strike "2,578,000" and insert "2,639,467"

On page 12, line 6 strike "2,578,000" and insert "2,639,467"

Representatives Polk and Hawkins spoke in favor of the amendments, and Mr. Shinpoch spoke against them.

The amendments were not adopted.

Mr. Deccio moved adoption of the following amendments to the committee amendment:  
 On page 31, line 33 strike "13,359,000" and insert "13,389,000"  
 On page 31, line 35 strike "24,016,000" and insert "24,046,000"

Mr. Deccio spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Deccio to the committee amendment to Substitute Senate Bill No. 3109, and the amendments were adopted by the following vote: Yeas, 71; nays, 25; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Bond, Burns, Chandler, Clayton, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Patterson, Polk, Pruitt, Sanders, Schmitzen, Sherman, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bender, Boldt, Charette, Charnley, Clemente, Conner, Craswell, Enbody, Erickson, Gallagher, Grier, Gruger, Kilbury, King, Lee, Martinis, May, McCormick, McKibbin, Pearsall, Salatino, Shinpoch, Sommers, Vrooman, and Mr. Speaker.

Not voting: Representatives O'Brien, Paris.

Mr. Deccio moved adoption of the following amendment to the committee amendment:  
 On page 33, line 3 after "Up to" strike "220,000" and insert "250,000"  
 On page 33, line 4 after "care" strike "aides" and insert "nonprofessional employees"

Mr. Deccio spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Deccio yielded to question by Ms. Becker.

Ms. Becker: "Representative Deccio, would you clarify what you mean by nonprofessional employees and what is excluded by that term?"

Mr. Deccio: "Representative Becker, this would be the same class of employees as with nursing homes, and would not include LPN's, nurses or administrators. It would be the non-professional—the aids, the orderlies, kitchen help, dietary and so on."

The amendment was adopted.

On motion of Mr. Deccio, the following amendments were adopted:

On page 33, line 33 strike "264,591,000" and insert "264,661,000"

On page 33, line 35 strike "458,271,000" and insert "458,341,000"

On page 35, line 7 after "Up to" strike "430,000" and insert "500,000"

On page 35, line 8 after "resident care" strike "aides" and insert "nonprofessional employees"

On motion of Mr. Hanna, the following amendments by Representatives Hanna, Berentson and Bond to the committee amendment were adopted:

On page 60, line 3 strike "4,556,881" and insert "7,956,585"

On page 60, after line 4 insert

"General Fund Appropriation—Federal (Law Enforcement Assistance Administration) . . . \$170,000"

On page 60, line 5 strike "60,738,862" and insert "64,308,566"

#### MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

May 10, 1977

HOUSE BILL NO. 1105, Prime Sponsor: Representative Sommers, relating to revenue and taxation. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

May 9, 1977

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2040, Prime Sponsor: Senator Fleming, establishing a program to improve jails. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 14 strike "assist in providing" and insert "provide"

On page 3, line 4 after "means" insert "preventative,"

On page 3, line 22 strike "and approved by the legislature"

On page 7, line 22 after "section 5" strike "(7)" and insert "(5)"

On page 7, line 24 strike "funds seventy-five percent of" and insert "fully funds"

On page 10, line 29 after "receive" insert "full"

On page 10, line 30 strike "seventy-five percent of"

On page 10, line 33 strike "legislature" and insert "commission"

On page 11, beginning on line 4 strike all of section 12 and renumber the remaining sections consecutively

On page 11, line 20 after "government" strike the remainder of the section and insert ", subject to biennial legislative appropriation, at the direction of the commission."

Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SENATE BILL NO. 2510, Prime Sponsor: Senator Beck, authorizing the establishment of transportation centers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Dunlap, Gallagher, Grier, Lysen, McCormick, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 9, 1977

SUBSTITUTE SENATE BILL NO. 2608, Prime Sponsor: Senator Francis, revising laws relating to privacy of information about crimes and criminals. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 35 insert a new subsection as follows:

"(9) 'State planning agency' shall mean that agency designated by law or executive order to fulfill the functions established by 42 U.S.C. Section 3701, the 'Omnibus Crime Control and Safe Streets Act of 1968', as amended."

On page 7, line 32 strike "Washington state judicial council" and insert "state planning agency"

On page 8, line 1 strike "judicial council" and insert "state planning agency"

On page 8, line 7 strike "Washington state judicial council" and insert "state planning agency"

On page 8, line 10 strike "judicial council" and insert "state planning agency"

On page 8, line 13 strike "judicial council" and insert "state planning agency"

Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Barr, Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3027, Prime Sponsor: Senator Monohon, authorizing juvenile authorities to require delinquent children to repair damage done. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. (1) This chapter shall be known and cited as the Juvenile Justice Act of 1977.

(2) It is the intent of the legislature that a system capable of having primary responsibility for, being accountable for, and responding to the needs of certain youthful offenders, as defined by this chapter be established. It is the further intent of the legislature that youth, in turn, be held accountable for their offenses and that both communities and the juvenile courts carry out their functions consistent with this intent. To effectuate these policies, it shall be the purpose of this chapter to:

(a) Protect the citizenry from criminal behavior;

(b) Provide for determining whether accused juveniles have committed offenses as defined by this chapter;

(c) Make the juvenile offender accountable for his or her criminal behavior;

(d) Provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender;

(e) Provide due process for juveniles alleged to have committed an offense;

(f) Provide necessary treatment, supervision, and custody for juvenile offenders;

(g) Provide for the handling of juvenile offenders by communities whenever consistent with public safety;

(h) Provide for restitution to victims of crime;

(i) Develop effective standards and goals for the operation, funding, and evaluation of all components of the juvenile justice system and related services at the state and local levels; and

(j) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the courts, institutions, and community services.

**NEW SECTION, Sec. 2.** For the purposes of this chapter:

(1) 'Serious offender' means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

(a) A class A felony, or an attempt to commit a class A felony;

(b) Manslaughter in the first degree, rape in the first degree, or rape in the second degree; or

(c) Assault in the second degree, extortion in the first degree, indecent liberties, kidnaping in the second degree, robbery in the second degree, statutory rape in the first degree, or statutory rape in the second degree, where such offenses include the infliction of grievous bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator uses a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) 'Community service' means compulsory service, without compensation, performed by the offender as punishment for committing an offense;

(3) 'Community supervision' means assignment by the court of an adjudicated youth for a period of time not to exceed one year or by the state of an adjudicated youth for a period of time not to exceed one year where a youth has been committed to a state institution. Such orders may include the following:

(a) For other than first or minor offenders a period of confinement and/or partial confinement in a county or city facility not to exceed thirty days: PROVIDED, That such period of confinement or partial confinement may not exceed the minimum term of confinement or partial confinement authorized by the standard range for the offense(s) of which the youth was found guilty;

(b) A fine, not to exceed one hundred dollars; and

(c) Community service not to exceed one hundred fifty hours of labor.

Nothing in this subsection shall prohibit the imposition of other community supervision, to the extent funds are available to pay for such services, including but not limited to attendance at information classes and counseling;

(4) 'Confinement' means any commitment to a facility operated by or pursuant to a contract with the state, or by or pursuant to a contract with any county;

(5) 'Court', when used without further qualification, means the juvenile department of the superior court;

(6) 'Criminal history' shall include all criminal complaints against the respondent where:

(a) The allegations were found correct by a juvenile court. In any judgment where a respondent is convicted of two or more charges arising out of the same course of conduct, where one charge is included within the other, then only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

(7) 'Department' means the department of social and health services;

(8) 'Diversionary unit' means any court officer who enters into a diversion agreement with an alleged youthful offender or such other person or entity designated by the court to do so;

(9) 'Institution' means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(10) 'Juvenile', 'youth', and 'child' shall mean any individual who is under the chronological age of eighteen years, or over the age of eighteen years but remaining under the jurisdiction of the court;

(11) 'Juvenile offender' means any juvenile who has been found by the juvenile court to have committed an offense;

(12) 'Manifest injustice' means a disposition that would impose an excessive penalty on the juvenile or a clear danger to society in light of the purposes of this chapter;

(13) 'Minor or first offender' means a person sixteen years of age or younger who has committed an offense which, if committed by an adult would be either a class B or C felony (except for any felony which is listed in subsections (1) (a) or (b) of this section), a gross misdemeanor, or a misdemeanor, and whose prior criminal history, if any, does not include any class A or B felony, more than two class C felonies, or more than one class C felony plus any series of misdemeanors and/or gross misdemeanors totalling three or more, or any series of misdemeanors and/or gross misdemeanors totalling four or more;

(14) 'Offense' means an act designated a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under law of another state if the act occurred in that state;

(15) 'Partial confinement' means confinement in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days of the week spent under community supervision;

(16) 'Respondent' means a juvenile who is alleged or proven to have committed an offense;



(17) 'Restitution' means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, and lost wages resulting from physical injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(18) 'Secretary' means the secretary of the department of social and health services;

(19) 'Services' mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter; and

(20) 'Shelter care' means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care.

**NEW SECTION. Sec. 3. (1) A youth may be taken into custody only**

(a) pursuant to a court order if a complaint is filed with the court alleging, and the court finds reasonable grounds to believe, that the youth has committed an offense or has violated terms of community supervision, or

(b) without a court order, by a law enforcement officer if grounds exist for the arrest of an adult in identical circumstances. Admission to, and continued custody in, a court detention facility shall be governed by the provisions of section 22 of this 1977 amendatory act.

(2) Complaints referred to the court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint for legal sufficiency. The purpose of such screening shall be to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the youth did commit the offense.

(3) An information shall be a plain, concise and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to the provisions of chapter 10.37 RCW.

(4) If it appears that there is probable cause to believe that an offense has been committed by a youth, the prosecutor shall:

(a) Deliver the complaint to the diversionary unit for the formation of a diversion agreement pursuant to section 4 of this act, if the alleged offense is not listed in subsection (4)(b)(i) of this section or if the youth is not a repeat offender as defined by subsection (4)(b)(ii) or (4)(b)(iii) of this section. The diversionary unit shall be responsible for advising the youths of their rights as provided in this chapter;

(b) File an information with the juvenile court if the alleged offender is one or more of the following:

(i) An alleged offender accused of a class A felony, an attempt to commit a class A felony, a class B felony, an attempt to commit a class B felony, assault in the third degree, or rape in the third degree; or

(ii) An alleged offender with a criminal history of at least a class A or class B felony, or two class C felony offenses, or at least one class C felony offense and at least one misdemeanor or gross misdemeanor, or at least two gross misdemeanors, or one gross misdemeanor and two misdemeanors, or at least three misdemeanors; or

(iii) An alleged offender accused of violating his or her diversion agreement or who wishes to be prosecuted rather than enter into a diversion agreement or who has been referred by the center for prosecution.

(5) Whenever the alleged offender is an alleged offender listed in subsection (4)(b) of this section, the prosecutor may file an information on any other criminal complaint regardless of whether or not the other offense is listed in subsection (4)(b)(i) of this section. In lieu of filing an information, the prosecutor may file a motion to modify or revoke community supervision if a criminal complaint alleges a violation of a condition of community supervision.

(6) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversionary interview, the parent or legal guardian of said juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile.

**NEW SECTION. Sec. 4. (1) A diversion agreement shall be a contract between a youth accused of an offense and a diversionary unit whereby the youth agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it.**

(2) A diversion agreement shall be limited to:

(a) Periods of community service not to exceed one hundred fifty hours, but if the youth is attending school, no community service shall be required during normal school hours;

(b) Restitution limited to the amount of actual loss incurred by the victim, and the youth shall be required to make restitution to the victim unless the youth does not have the means and could not acquire the means to do so;

(c) In assessing periods of community service to be performed and restitution to be paid by a youth who has entered into a diversion agreement, the court officer to whom this task is assigned shall to the extent possible involve members of the community. Such members of the community shall meet with the youth and advise the court officer as to the terms of the diversion agreement and shall supervise the youth in carrying out its terms; and

(d) A diversion agreement shall not exceed a period of six months for a misdemeanor or one year for a felony. Any restitution assessed during its term shall not exceed an amount which the youth could be reasonably expected to pay during this period. If additional time is necessary for the youth to complete restitution to the victim, the time period limitations of this subsection may be extended by an additional six months.

(3) The youth shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(4) Divertees and potential divertees shall be afforded due process in all contacts with a diversionary unit regardless of whether said youths are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) No admission of guilt shall be required as a condition of acceptance into a diversion program;

(c) Violation of the terms of the agreement shall be the only grounds for termination;

(d) No youth shall be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the youth; and which hearing shall include:

(A) Opportunity to be heard in person and to present evidence;

(B) The right to confront and cross-examine all adverse witnesses;

(C) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(D) Demonstration by clear and convincing evidence that the diverted youth has substantially violated the terms of his or her diversion agreement.

(5) The right to counsel shall inure prior to the initial interview for purposes of advising the youth as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The youth may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The youth shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews shall mean all interviews regarding the diversion agreement process.

The youth shall be advised that a diversion agreement shall constitute a part of the youth's criminal history as defined by section 2(6) of this 1977 amendatory act. A signed acknowledgement of such advisement shall be obtained from the youth, and the document shall be maintained by the diversionary unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

(6) When a youth enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

(a) The fact that a charge or charges were made;

(b) The fact that a diversion agreement was entered into;

(c) The youth's obligations under such agreement;

(d) Whether the alleged offender performed his or her obligations under such agreement; and

(e) The facts of the alleged offense.

(7) A diversionary unit may refuse to enter into a diversion agreement with a youth. It shall immediately refer such youth to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversionary unit shall also immediately refer the case to the prosecuting attorney for action if such youth fails to make restitution or perform community service as required by the diversion agreement.

(8) A diversionary unit may, in instances where it determines that the act or omission of an act for which a youth has been referred to it involved no victim, or where it determines that the youth referred to it has no prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a youth without entering into a diversion agreement: PROVIDED, That any youth so handled shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the youth's criminal history as defined by section 2(6) of this 1977 amendatory act. A signed acknowledgment of such advisement shall be obtained from the youth and the document shall be maintained by the unit and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language: PROVIDED FURTHER, That a youth determined to be eligible by a diversionary unit for such release shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other youth referred to the unit.

**NEW SECTION.** Sec. 5. (1) The youth shall be advised of his or her rights under the law when appearing before the court. The youth shall be advised of the allegations in the information. The youth shall be required to plead guilty or not guilty to the allegations. The state or the alleged offender may make preliminary motions up to the time of the plea.

(2) If the youth pleads guilty, the court may proceed with disposition or may continue the case for a dispositional hearing. If the youth denies guilt, a hearing date shall be set.

(3) At the hearing it shall be the burden of the prosecution to prove the allegations of the information beyond a reasonable doubt.

(4) The court shall record its findings of fact and shall enter its verdict upon the record. Such findings shall set forth the evidence relied upon by the court in reaching its verdict.

(5) If the youth is found not guilty he or she shall be released from detention.

(6) If the youth is found guilty the court may immediately proceed to disposition or may continue the case for a dispositional hearing.

(7) In sentencing an offender, the court shall use the disposition standards in effect on the date of the offense.

**NEW SECTION.** Sec. 6. (1) A child and his or her parent, guardian, or custodian shall be advised by the court or its representative that the child has a right to be represented by counsel at all critical stages of the proceedings. Unless waived, counsel shall be provided to a child, who is financially unable to obtain counsel without causing substantial hardship to himself or his family, in any proceeding where the child may be subject to transfer for criminal prosecution, or in any proceeding where the child may be subject to removal from the custody of his parent, guardian, or custodian. The ability to pay part of the cost of counsel shall not preclude assignment. In no case shall a child be deprived of counsel because of a parent, guardian, or custodian refusing to pay therefor. The right to have counsel appointed may be waived only after the youth has had an initial interview with an attorney.

(2) The right to counsel shall include the right to the appointment of experts necessary and the experts shall be required pursuant to the procedures and requirements established by the supreme court.

**NEW SECTION.** Sec. 7. (1) The secretary shall propose to the legislature no later than November 1st of each even-numbered year disposition standards for all offenses. The standards shall establish, in accordance with the purposes of this chapter, ranges which may include terms of confinement and/or partial confinement and/or community supervision established on the basis of a youth's age, the instant offense, and the history and seriousness of previous offense, but in no case shall the period of confinement and supervision exceed that to which an adult may be subjected for the same offense(s). Standards proposed for offenders listed in section 2(1) of this 1977 amendatory act shall include a range of confinement which cannot be less than thirty days. No standard range may include a period of confinement which includes both more than thirty, and thirty or less, days. Disposition standards proposed by the department shall provide that in all cases where a youth is sentenced to a term of confinement in excess of thirty days the department may impose an additional period of parole not to exceed eight months. Standards of confinement which may be proposed shall relate only to the length of the proposed terms and not to the nature of the security to be imposed. The secretary shall also submit guidelines pertaining to the nature of the security to be imposed on youth placed in his or her custody based on the age, offense(s), and criminal history of the juvenile offender. Such guidelines shall be submitted to the legislature for its review at the same time the department proposes its disposition standards.

(2) If the legislature fails to adopt or modify the proposed terms by April 1st of the following year, they shall take effect without legislative approval on July 1st of that year: PROVIDED, That such effective date can be extended up to sixty days by affirmative vote of the committees on judiciary of the senate and house of representatives.

(3) Notwithstanding any other provision of this section, the secretary shall propose standards and submit guidelines to the legislature no later than November 1, 1977. The legislature shall consider the proposed standards and submitted guidelines during the following year in the manner prescribed by subsection (2) of this section. Such standards shall be in effect for the period July 1, 1978, to June 30, 1979.

(4) Any term of confinement in excess of thirty days shall be served at a facility operated by or pursuant to a contract with the state of Washington.

(5) In developing and promulgating the permissible ranges of confinement under this section the secretary shall be subject to the following limitations:

(a) Where the maximum term in the range is ninety days or less, the minimum term in the range shall be no less than fifty percent of the maximum term in the range;

(b) Where the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range shall be no less than seventy-five percent of the maximum term in the range; and

(c) Where the maximum term in the range is more than one year, the minimum term in the range shall be no less than eighty percent of the maximum term in the range.

(6) In developing and promulgating the permissible ranges of partial confinement under this section, the secretary shall be subject to the following limitations:

(a) Where the maximum term in the range is ninety days or less, the minimum term in the range shall be no less than fifty percent of the maximum term in the range; and

(b) Where the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range shall be no less than seventy-five percent of the maximum term in the range.

**NEW SECTION.** Sec. 8. (1) After an adjudication of guilt, the court shall proceed to a disposition hearing. In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information

need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.

(2) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:

- (a) Consider the facts supporting the allegations of criminal conduct by the respondent;
- (b) Consider information and argument offered by parties and their counsel;
- (c) Consider any predisposition reports;
- (d) Afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;
- (e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;
- (f) Determine the amount of restitution owing to the victim, if any;
- (g) Determine whether the respondent is a serious offender or a minor or first offender;
- (h) Consider whether or not any of the following mitigating factors exist:
  - (i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;
  - (ii) The respondent acted under strong and immediate provocation;
  - (iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;
  - (iv) Prior to his detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and
  - (v) There has been at least one year between the respondent's current offense and any prior criminal offense;

(i) Consider whether or not any of the following aggravating factors exist:

- (i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;

- (ii) The offense was committed in an especially heinous, cruel or depraved manner;
- (iii) The victim or victims were particularly vulnerable;
- (iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement; and

- (v) The respondent was the leader of a criminal enterprise involving several persons;
- (j) The following factors shall not be considered in determining the punishment to be imposed:

- (i) The sex of the respondent;
- (ii) The race or color of the respondent or the respondent's family;
- (iii) The creed or religion of the respondent or the family;
- (iv) The economic or social class of the respondent or the family; and
- (v) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter;

(k) A court shall not commit a youth to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community.

(3) In making its dispositional order, the court, where appropriate, shall impress upon the offender's parents or guardian the role and responsibility of such individuals in raising and guiding the youth to become a responsible citizen.

**NEW SECTION.** Sec. 9. (1) When the respondent is found to be a serious offender, the court shall impose a determinate sentence consisting of the standard range of disposition for the offense.

If the court finds that a disposition within the standard range would effectuate a manifest injustice, the court may impose a disposition outside the range but only after it enters reasons upon which it bases its conclusion that disposition within the standard range would effectuate a manifest injustice. A disposition imposed outside a standard range is appealable under section 13 of this 1977 amendatory act by the state or the respondent. A disposition within the standard range is not appealable under section 13 of this 1977 amendatory act.

(2) Where the respondent is found to be a minor or first offender, the court shall order that the respondent serve a term of community supervision. If the court determines that a disposition of community supervision would effectuate a manifest injustice the court may impose another disposition. A disposition other than a community supervision shall be imposed only after the court enters reasons upon which it bases its conclusions that imposition of community supervision would effectuate a manifest injustice. Any disposition other than community supervision may be appealed as provided in section 13 of this 1977 amendatory act by the state or the respondent. A disposition of community supervision may not be appealed under section 13 of this 1977 amendatory act.

(3) A juvenile appearing before the court for formal disposition who has declined to enter into a diversion agreement and who would otherwise be so entitled shall, if determined to be a first or minor offender, be referred to a diversionary unit under the supervision of which such youth may only be required to perform the term of community service and, where there is a victim, shall be required to make restitution under the limits specified in this chapter.

(4) Where the respondent is found to have committed an offense and is neither a serious offender nor a minor or first offender, consistent with the purposes of this chapter the court shall: (a)(i) Where the appropriate standard range includes a period of confinement exceeding thirty days, sentence the offender to a term consisting of the appropriate standard range, or (ii) where the appropriate standard range does not include a

period of confinement exceeding thirty days, sentence the offender to a determinate term within the appropriate standard range in which case the court shall consider only those aggravating and mitigating factors set forth in section 8 of this 1977 amendatory act and shall state its reasons for selecting the particular punishment imposed, or (b) shall impose a term of community supervision. An offender sentenced to terms of community supervision may be required to serve periods of partial confinement not to exceed thirty days or confinement not to exceed the maximum period of confinement included within the standard range for the offense(s) for which he or she was found guilty, but in no case to exceed thirty days. If the court sentencing pursuant to subsection (a)(i) or (ii) of this section finds that a disposition within the standard range would effectuate a manifest injustice, it may impose a disposition other than community supervision outside the range but only after it enters reasons upon which it bases its conclusion that disposition within the standard range would effectuate a manifest injustice. A disposition so imposed outside the standard range may be appealed as provided in section 13 of this 1977 amendatory act by the state or the respondent. A disposition within the standard range or of community supervision shall not be appealable under section 13 of this 1977 amendatory act.

**NEW SECTION. Sec. 10.** In its dispositional order, the court shall require the respondent to make restitution to any persons who have suffered loss or damage as a result of the offense committed by the respondent. The payment of restitution shall be in addition to any punishment which is imposed pursuant to the other provisions of this chapter. The court shall determine the amount of restitution due at the disposition hearing and shall set the terms and conditions under which the respondent shall make restitution. If the respondent participated in the crime with another person or other persons, all such participants shall be jointly and severally responsible for the payment of restitution: PROVIDED, That the court shall not require the respondent to pay full or partial restitution if the respondent reasonably satisfies the court that he or she does not have the means to make full or partial restitution and could not reasonably acquire the means to pay such restitution.

**NEW SECTION. Sec. 11. (1)** When a respondent who has been ordered by a court to pay a fine or restitution, or to perform service for the public good fails to fulfill that order, the court upon the motion of the prosecutor or upon its own motion, shall require the respondent to show cause why the respondent should not be confined in a detention facility for nonfulfillment. The court may issue a summons or a warrant for arrest to compel the respondent's appearance.

(2) The respondent shall have the burden of showing that the nonpayment or nonfulfillment was not a wilful refusal and that he or she did not have the means and could not reasonably acquire the means to pay the fine or restitution or to perform the service for the public good. If the court finds that the default was wilful, it may order the youth detained in a county facility for one day for each twenty-five dollars of restitution on which the youth wilfully defaulted or may order the youth detained in a county facility for one day for each eight hours of community service on which the youth wilfully defaulted.

**NEW SECTION. Sec. 12.** Where a disposition is imposed on a youth for two or more offenses, the terms shall run consecutively, subject to the following limitations: (1) Where the offenses were committed through a single act or omission, or through an act or omission which in itself constituted one of the offenses and also was an element of the other, the aggregate of all the terms shall not exceed one hundred fifty percent of the term imposed for the most serious offense; and (2) in all other cases, the aggregate of all consecutive terms shall not exceed three hundred percent of the term imposed for the most serious offense.

**NEW SECTION. Sec. 13. (1)** Dispositions required to be reviewed under section 9 of this 1977 amendatory act shall be reviewed in the appropriate division of the court of appeals.

An appeal under this section shall be heard solely upon the record that was before the disposition court. No written briefs shall be required and the appeal shall be heard within thirty days following the date of sentencing and a decision rendered within fifteen days following the argument. The supreme court shall promulgate any necessary rules to effectuate the purposes of this section.

(2) To uphold a disposition outside the standard range, or which imposes confinement for a minor or first offender, the court of appeals must find that the reasons supplied by the disposition judge are supported by the record which was before the judge and that those reasons clearly and convincingly support the conclusion that a disposition within the range, or nonconfinement for a minor or first offender, would constitute a manifest injustice.

(3) If the disposition cannot be upheld, the court of appeals shall remand the case back to the juvenile court for disposition within the standard range, or for community supervision without confinement as would otherwise be appropriate pursuant to the provisions of this chapter.

(4) Pending appeal, a respondent shall not be committed or detained for a period of time in excess of the standard range for the offense(s) committed and shall not be detained if a first or minor offender: PROVIDED, That if the order of the disposition court is below the standard range, the respondent shall be committed or detained for no longer than the term set by the disposition court.

(5) Dispositions imposed by the disposition court shall not be final until either the deadline for appeal pursuant to state law or supreme court rule has passed without an appeal being taken, or the court of appeals has issued its decision on the appeal.

**NEW SECTION. Sec. 14.** As used in this section, 'secure facility' means a facility in which a juvenile offender may be placed under this section which is characterized by physically restricting construction, hardware, and procedures, and which is designated as a secure facility by the department under this section. Secure facilities shall provide appropriate services to the residents including but not limited to residential care, educational and vocational training, physical and mental health services, and employment counseling. The department shall promulgate regulations governing secure facilities including but not limited to:

- (1) Limitations as to capacity;
- (2) Services to be provided and conditions to be maintained;
- (3) Procedures for admission to and release or transfer from the facility; and
- (4) Periodic inspection by the department not to be conducted by personnel of the facility.

**NEW SECTION.** Sec. 15. Consistent with the purposes of this chapter, if the respondent violates a condition of his or her community supervision, community supervision may be revoked and community supervision may be modified and further permissible punishment imposed pursuant to the provisions of this chapter. Such punishment may include a period of confinement and/or partial confinement in a county facility not to exceed thirty days. Community supervision may only be revoked or modified upon the same due process as would be afforded an adult alleged probation violator. Except as provided in section 11 of this 1977 amendatory act, however, a youth found to be a minor or first offender and sentenced to a term of community supervision may not be committed to a state or county institution on the basis of violating a term of his or her community supervision unless there is alleged and proven beyond a reasonable doubt a new offense for which commission, either separate or in combination with other or prior offenses, removes the juvenile from the category of first or minor offender.

**NEW SECTION.** Sec. 16. (1) The secretary shall, except in the case of a youth committed by a court to a term of confinement in a state institution outside the appropriate standard range for the offense(s) for which the youth was found to be guilty established pursuant to section 7 of this 1977 amendatory act, set a release or discharge date for each youth committed to its custody which shall be within the prescribed range to which a youth has been committed. Such dates shall be determined prior to the expiration of sixty percent of a youth's minimum term of confinement included within the prescribed range to which the youth has been committed.

(2) Following the youth's release pursuant to subsection (1) of this section, the secretary may require the youth to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eight months. The secretary shall, for the period of parole, facilitate the youth's reintegration into his or her community and to further this goal may require the youth to: (a) Undergo available medical or psychiatric treatment; (b) report as directed to a parole officer; (c) pursue a course of study or vocational training; (d) remain within prescribed geographical boundaries and notify the department of any change in his or her address; and (e) refrain from committing new offenses. After termination of the parole period, the youth shall be discharged from the department's supervision.

(3) The department may also revoke or modify parole for violation thereof after the same due process as is required for an adult alleged parole violator. If the secretary finds, consistent with all such due process rights, that a youth has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (a) Continued supervision under the same conditions previously imposed; (b) intensified supervision with increased reporting requirements; (c) additional conditions of supervision authorized by this chapter; and (d) imposition of a period of partial confinement not to exceed thirty days.

**NEW SECTION.** Sec. 17. (1) The juvenile courts shall have exclusive original jurisdiction in all matters relating to youth alleged to have committed or found to have committed offenses except for alleged gross misdemeanor or misdemeanor violations of the traffic laws by juveniles over fifteen years of age. Judges of the superior court of any county may by agreement with the county prosecutor and court clerk provide by local court rule that the district courts of the county shall have the power, authority and jurisdiction, concurrent with the superior court, to hear all specified matters relating to dependent and delinquent children, and to enter judgment and make orders with the same power, force and effect as any judge of the superior court and may provide procedures therefor. The juvenile court shall have original exclusive jurisdiction over proceedings under the interstate compact on juveniles, chapter 13.24 RCW, and under the interstate compact on placement of children, chapter 26.34 RCW, which are governed by the laws relating thereto without regard to the provisions of this chapter.

(2) Proceedings under this chapter shall be commenced in the county where the child resides. However, proceedings may be commenced in the county where an element of the alleged criminal offense occurred if so requested by the child or by the prosecuting attorney of the county where the incident occurred.

(3) If the hearing takes place in the county where an element of the alleged criminal offense occurred, the case and copies of all legal and social documents pertaining thereto shall be transferred for disposition to the county where the child resides. All costs and arrangements for care and transportation of the child in custody shall be the responsibility of the receiving county as of the date of the transfer, unless the counties otherwise agree.

(4) The court upon motion of any party or upon its own motion may, at any time, transfer a proceeding to another juvenile court when:

(a) There is reason to believe that an impartial proceeding cannot be held in the county in which the proceeding was begun; or

(b) It appears that venue is incorrect under this section.

**NEW SECTION.** Sec. 18. (1) The juvenile court shall be a division of the superior court. In judicial districts having more than one judge of the superior court the judges of such court shall annually, in the month of January, assign one or more of their number to the juvenile court division. In any judicial district having a court commissioner, the court commissioner shall have the power, authority and jurisdiction, concurrent with a juvenile court judge, to hear all cases under this chapter, and to enter judgment and make orders with the same power, force and effect as any judge of the juvenile court, subject to motion or demand by any party within ten days from the entry of the order or judgment by the court commissioner as provided

in RCW 2.24.050. Cases shall be heard under this chapter without a jury. The court is hereby authorized, and to the extent possible is encouraged to, contract with private agencies existing within the community for the provision of services to youthful offenders and youth who have entered into diversion agreements pursuant to the provisions of this chapter.

(2) The county legislative authority, or the judge(s) assigned to juvenile court if so delegated the responsibility, shall appoint an administrator of juvenile court whose responsibilities shall include the efficient operation of court procedures and detention services: PROVIDED, That detention services may be operated by a county department of youth services established pursuant to RCW 13.20.060.

**NEW SECTION. Sec. 19.** (1) The administrator of juvenile court or a director of a county department of youth services established pursuant to RCW 13.20.060 may employ individuals to operate detention facilities, provide services to youths in detention, provide services to youthful offenders, to enter into diversion agreements pursuant to the terms of this chapter except as where otherwise directed by law, and to monitor those youths serving periods of partial confinement and community supervision to assure that such youths are meeting requirements imposed upon them by the court. Such court officers shall each receive compensation which shall be fixed by the commission.

(2) The court may employ officers to furnish the court with such information and assistance as it may require in determining an appropriate sentence under this chapter.

**NEW SECTION. Sec. 20.** (1) There shall be an administrator of juvenile court, or a director of a county department of youth services established pursuant to RCW 13.20.060, in each county who shall be in charge of any detention facilities which are operated in such county and shall, after consultation with the state planning agency established under Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (Pub. L. No. 93-415; 42 U.S.C. 5611 et. seq.) following a public hearing, and after approval of the body responsible for administering the juvenile court, and no later than one hundred eighty days after the effective date of this 1977 amendatory act, adopt standards for the regulation and government of said facilities.

(2) Such standards may be revised from time to time, according to the procedure outlined in subsection (1) of this section.

(3) Each detention facility shall keep a copy of such standards available for inspection at all times.

(4) Such standards shall be reviewed and the detention facilities shall be inspected annually by the administrator or director.

**NEW SECTION. Sec. 21.** Whenever legal custody of a child is vested in someone other than his or her parents, after due notice to the parents or other persons legally obligated to care for and support the child, and after a hearing, the court may order and decree that the parent or other legally obligated person shall pay in such a manner as the court may direct a reasonable sum representing in whole or in part the costs of support, treatment and confinement of the child after the decree is entered. If the parent or other legally obligated person wilfully fails or refuses to pay such sum, the court may proceed against such person for contempt.

**NEW SECTION. Sec. 22.** A youth shall not be held in detention unless:

(1) The youth has been taken into custody and referred to the court for allegedly committing an offense or when the youth has allegedly failed, or has been found to have failed to meet the terms of his or her community supervision and the youth's past conduct or statements give reason to believe that:

(a) The youth will likely fail to appear for further proceedings; or

(b) Detention is required to protect a youth who is dangerous to himself;

(2) The court has ordered detention as a material witness;

(3) The juvenile is a fugitive from justice; or

(4) The secretary or his designee has suspended the early release of a juvenile offender; or his or her physical condition is such as to jeopardize the safety of the youth or of others, or the youth will seek to intimidate witnesses or otherwise unlawfully interfere with the administration of justice.

**NEW SECTION. Sec. 23.** (1) When a youth taken into custody is not released as provided in section 3 of this 1977 amendatory act:

(a) An information shall be filed within seventy-two hours, Saturdays, Sundays, and holidays excluded, or the youth shall be released;

(b) A detention hearing shall be held within seventy-two hours, Saturdays, Sundays, and holidays excluded, from the time of filing the information, to determine whether continued detention is necessary under section 22 of this 1977 amendatory act.

(2) Written notice of the detention hearing, stating the time, place, and purpose of the hearing, and stating the right to counsel, shall be given to the parent, guardian, or custodian if such person can be found and shall also be given to the child if over twelve years of age.

(3) At the commencement of the detention hearing, the court shall advise the parties of their rights under this chapter and shall appoint counsel as specified by section 6 of this 1977 amendatory act.

(4) The court shall, based upon the allegations in the information, determine whether the case is properly before it or whether the case should be treated as a diversion case under section 4 of this 1977 amendatory act. If the case is not properly before the court the juvenile shall be ordered released.

(5) Notwithstanding a determination that the case is properly before the court and that probable cause exists, a child shall at the detention hearing be ordered released on his personal recognizance pending further hearing unless the court finds detention is necessary under section 22 of this 1977 amendatory act.

(6) If detention is necessary under section 22 of this 1977 amendatory act the court shall set reasonable bail or impose the most appropriate of the following conditions, or, if necessary, any combination of the following conditions in lieu of detention:

- (a) Place the child in the custody of a designated person agreeing to supervise such child;
- (b) Place restrictions on the travel of the child during the period of release;
- (c) Require the child to report regularly to and remain under the supervision of the juvenile court;
- (d) Impose any condition other than detention deemed reasonably necessary to assure appearance as required; or

(e) Require that the child return to detention during specified hours.

A court authorizing the release of a child under this subsection shall issue an appropriate order containing a statement of the conditions imposed and set the date of the next court appearance and shall advise the child that an order releasing him on any conditions specified in this section may at any time be amended to impose additional or different conditions of release or to return the child to custody for failure to conform to the conditions originally imposed and that failure to appear on the date scheduled shall constitute the crime of bail jumping.

**NEW SECTION. Sec. 24.** (1) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a decline hearing if good cause is shown for a hearing on the question of decline. Unless waived by the court, the parties and their counsel, a decline hearing shall be held where:

(a) The respondent is sixteen or seventeen years of age and the petition alleges a class A felony or an attempt to commit a class A felony; or

(b) The respondent is seventeen years of age and the petition alleges assault in the second degree, extortion in the first degree, indecent liberties, kidnaping in the second degree, rape in the second degree, or robbery in the second degree.

(2) The court after a decline hearing may order the case transferred for adult criminal prosecution upon a finding that the declination would be in the best interest of the juvenile or the public. The court shall consider the relevant reports, facts, opinions and arguments presented by the parties and their counsel. The court shall transfer the matter for adult prosecution where the respondent is sixteen or seventeen years of age and where there is probable cause establishing that the respondent has committed or attempted to commit a class A felony or where the respondent is seventeen years of age and where there is probable cause establishing that the respondent has committed assault in the second degree, extortion in the first degree, indecent liberties, kidnaping in the second degree, manslaughter in the first degree, rape in the second degree or robbery in the second degree, unless the respondent proves that the transfer for adult prosecution would create a manifest injustice.

(3) When the respondent is transferred for criminal prosecution or retained for prosecution in juvenile court, the court shall set forth in writing its finding which shall be supported by relevant facts and opinions produced at the hearing.

**NEW SECTION. Sec. 25.** The county prosecuting attorney shall be a party to all juvenile court proceedings and may represent the state of Washington in all proceedings and matters under this chapter.

**NEW SECTION. Sec. 26.** (1) Upon application of a party, the clerk of the court shall issue, and the court on its own motion may issue, subpoenas requiring attendance and testimony of witnesses and production of records, documents, or other tangible objects at any hearing, or such subpoenas may be issued by an attorney of record.

(2) All proceedings shall be transcribed verbatim by means which will provide an accurate record.

(3) The general public shall be excluded from juvenile court hearings and only the parties, their counsel, witnesses, and other persons requested by a party shall be admitted. Such other persons as the court finds to have a proper interest in the work of the court, including members of the bar and press, shall be admitted by the court on condition that such persons refrain from divulging any information which would identify the child or family involved.

Any person who divulges information in violation of this subsection shall be guilty of a misdemeanor. Any person who is the subject of such information may bring a civil action in superior court to enjoin further disclosure and to recover the actual damages sustained by such person together with the cost of the suit including reasonable attorney's fees.

(4) In all adjudicatory proceedings before the court, which shall not include decline, disposition, or modification or revocation of community supervision hearings, all parties shall have the right to adequate notice, discovery as provided in criminal cases, opportunity to be heard, confrontation of witnesses except in such cases as this chapter expressly permits the use of hearsay testimony, findings based solely upon the evidence adduced at the hearing, and an unbiased fact-finder.

(5) A child shall be accorded the privilege against self-incrimination. An extra judicial statement which would be constitutionally inadmissible in a criminal proceeding shall not be received in evidence at an adjudicatory hearing over objection. Evidence illegally seized or obtained shall not be received in evidence over objection at an adjudicatory hearing to prove the allegations against the child. An extra judicial admission or confession made by the child out of court is insufficient to support a finding that the child committed the acts alleged in the information unless a corpus delicti is first established.

(6) Waiver of any right which a child has under this chapter must be an express waiver intelligently made by the child after he or she has been fully informed of the right being waived.



(7) Whenever this chapter refers to waiver or objection by a child, the word child shall be construed to refer to a child who is at least twelve years of age. If a child is under twelve years of age, his parent, guardian, or custodian shall give any waiver or offer any objection contemplated by this chapter.

**NEW SECTION. Sec. 27.** No fees shall be charged or collected by any officer or other person for filing informations, serving summons, or other process under this chapter.

**NEW SECTION. Sec. 28.** All records pertaining to juveniles, produced or retained by any juvenile justice or care agency — police, center, court, prosecuting attorney, defense attorney, detention center, or the department of institutions or the department of social and health services and their contracting agencies — shall be confidential and shall only be released pursuant to the provisions of this chapter. Where a specific provision of this chapter controls the use of such information, then that specific provision governs, and in all other cases release and use of information will be governed by the provisions set forth in sections 29 through 35 of this 1977 amendatory act.

**NEW SECTION. Sec. 29.** Records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by such other participant or when such other participant is assigned the responsibility of supervising the juvenile. This section shall permit, in accordance with the laws on discovery of evidence applicable in adult criminal cases, counsel for the prosecution and defense and an accused juvenile full access to the records of other juveniles alleged to have committed offenses connected with the offense with which the accused juvenile is charged, and any juvenile witnesses involved in such a case. The juvenile court and prosecutor may set up and maintain a central record keeping system which may receive information on all alleged juvenile offenders whether or not their cases are currently pending before the court, except as limited by section 30 of this 1977 amendatory act. The central record keeping system may be computerized and shall have adequate safeguards to protect against improper disclosure of information.

**NEW SECTION. Sec. 30.** It shall be the duty of any juvenile justice or care agency providing information to insure the accuracy of that information. To this end:

(1) An agency shall never knowingly record or provide inaccurate information; and

(2) An agency shall take steps to ensure the security of its records and to prevent tampering therewith.

**NEW SECTION. Sec. 31.** There shall be no release of any information to parties outside the juvenile justice or care system except:

(1) Information concerning a juvenile shall be released to such juvenile, or to such juvenile's parents or attorney, for purposes of checking its accuracy.

(2) Information which could not reasonably be expected to identify the youth or his family may be released to the public.

(3) The identity of an alleged or proven juvenile offender and his or her parent, guardian, or custodian and the circumstances of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.

(4) Information which is necessary to the preparation of an accused juvenile's defense or to protect a juvenile's interests in a dependency proceeding shall be released to such juvenile or to such juvenile's parents or attorney.

(5) Information which has not been destroyed pursuant to section 32 of this 1977 amendatory act shall be released to participants in the adult criminal justice and corrections system including prosecutors, defendants, defense counsel, and probation or parole officers, concerning the juvenile record of an adult criminal defendant or witness in an adult criminal proceeding after a charge has actually been filed in court.

**NEW SECTION. Sec. 32.** (1) On motion on the part of a person who has been the subject of an information alleging a juvenile offense or the subject of a dependency petition, or on the court's own motion, the court shall vacate its order and findings, if any, and order the sealing of the legal and social files and records of the court, of the center, and of any other agency in the case if it finds that:

(a) Two years have elapsed since the final discharge of the person from legal custody or since the entry of any other court order not involving custody; and

(b) The person has not entered into a diversion agreement nor has been found to have committed a crime prior to the filing of the motion, and no proceeding is pending seeking such conviction or adjudication. The motion and the order may include the files and records specified in subsections (2) and (3) of this section.

(2) Reasonable notice of the motion shall be given to:

(a) The prosecutor;

(b) Defense counsel of record;

(c) The department, if custody of the child has ever been transferred to the department; and

(d) The law enforcement officers, department, and central depository having custody of the files and records if the files and records specified in section 28 of this 1977 amendatory act are included in the motion.

(3) Upon the entry of the order, the proceedings in the case shall be treated as if they never occurred, and all index references shall be deleted and the court and law enforcement officers and departments shall reply and the subject person may reply to any inquiry that juvenile records are confidential.

Inspection of the files and records included in the order may thereafter be permitted by the court only upon motion of the person who is the subject of such records, and only by those persons named in such motion. However, the court in its discretion may by special order in an individual case permit inspection by or release of information in the records to any clinic, hospital, or agency which has the subject person under care or treatment, or individuals or agencies engaged in research.

(4) Any adjudication of the commission of a crime subsequent to sealing shall have the effect of nullifying the sealing order.

(5) A person who has been the subject of an information alleging a juvenile offense and has met the conditions stipulated in subsection (1)(b) of this section may, five years after reaching the age of majority, file a motion requesting the destruction of all records pertaining to his or her case. If the court grants the motion, copies of the order shall be sent to all offices or agencies that are repositories of such records and all such offices and agencies shall comply with the order.

(6) A person who has been the subject of an information alleging a juvenile offense shall be notified of his rights under this section and section 33 of this 1977 amendatory act at the time of his or her final discharge.

**NEW SECTION. Sec. 33.** Any person who believes that he or she may be the subject of any juvenile justice or care record keeping shall have the right, in person or through a parent or attorney, to inquire as to whether a record exists and to be shown such record if it does. If that record is properly in the possession of the agency maintaining it, the subject shall have the right to challenge the information therein and to have it corrected if it is in error. If that record is not properly in the possession of the agency maintaining it, the subject shall have the right to have it destroyed. Any agency maintaining such records shall promulgate administrative procedures to facilitate such inquiries, and the subject of any record shall have the right to enforce the provisions of this section by equitable or legal proceedings in the superior court.

**NEW SECTION. Sec. 34.** Nothing in this chapter shall be construed to prevent the expungement of any juvenile record ordered expunged by a court to preserve the due process rights of its subject.

**NEW SECTION. Sec. 35.** Notwithstanding any other provision of this chapter, records of motor vehicle violations which are also offenses under this chapter shall be subject to the procedures of the department of motor vehicles in the same manner as records of motor vehicle violations generally.

**NEW SECTION. Sec. 36.** Neither the fingerprints nor a photograph shall be taken of any child under the age of eighteen years taken into custody for any purpose without the consent of the juvenile court.

**NEW SECTION. Sec. 37.** All references to juvenile delinquents or juvenile delinquency in other chapters of the Revised Code of Washington shall be construed as meaning juvenile offenders or the commitment of an offense by juveniles as defined by this chapter.

Sec. 38. Section 1, chapter 160, Laws of 1913 as amended by section 1, chapter 302, Laws of 1961 and RCW 13.04.010 are each amended to read as follows:

This chapter shall be known as the 'Juvenile Court Law' and shall apply to all minor children under the age of eighteen years who are ~~((delinquent-or))~~ dependent; and to any person or persons who are responsible for or contribute to, the ~~((delinquency-or))~~ dependency of such children.

For the purpose of this chapter the words 'dependent child' shall mean any child under the age of eighteen years:

(1) Who has no home or any settled place of abode, or any proper guardianship, or any visible means of subsistence; or

(2) Who has no parent, guardian or other responsible person; or who has no parent or guardian willing to exercise, or capable of exercising, proper parental control; or

(3) Whose home by reason of neglect, cruelty or depravity of his parents or either of them, or on the part of his guardian, or on the part of the person in whose custody or care he may be, or for any other reason, is an unfit place for such child; or

(4) Who frequents the company of reputed criminals, vagrants or prostitutes; or

(5) Who is found living or being in any house of prostitution or assignation; or

(6) Who habitually visits any saloon, or place where spirituous, vinous, or malt liquors are consumed or sold, bartered, or given away; or

(7) Who is incorrigible; that is, who is beyond the control and power of his parents, guardian, or custodian by reason of the conduct or nature of said child; or

(8) Who is in danger of being brought up to lead an idle, dissolute or immoral life; or

(9) Who is an habitual truant, as defined in the school laws of the state of Washington; or

(10) Who uses intoxicating liquor as a beverage, or who uses opium, cocaine, morphine, heroin, or marijuana, or other similar drug, without the direction of a competent physician; or

(11) Who wanders about in the nighttime without being on any lawful business or occupation; or

(12) Who is grossly and wilfully neglected as to medical care necessary for his well-being.

~~((The words 'delinquent child' mean any child under the age of eighteen years who violates any law of this state, or any ordinance of any town, city, or county of this state defining a crime or who has violated any federal law or law of another state defining a crime, and whose case has been referred to the juvenile court by any jurisdiction whatsoever.))~~

For the purpose of this chapter only, all children who have been adjudicated ~~((delinquent-and))~~ dependent children within the state shall be considered wards of this state and their persons shall be subject to the custody, care, guardianship and control of the court as hereinafter provided.

Sec. 39. Section 2, chapter 302, Laws of 1961 as amended by section 1, chapter 101, Laws of 1973 1st ex. sess. and RCW 13.04.053 are each amended to read as follows:

Whenever any dependent child is taken into custody, the parent or guardian must be immediately notified. Such requirement may be waived by the court in cases where the parent or guardian cannot be located.

No dependent child shall be held in detention or shelter longer than seventy-two hours excluding Sundays and holidays, unless a petition as provided for in RCW 13.04.060 has been filed. No such child may be held longer than seventy-two hours after the filing of such a petition unless an order for such continued

detention or shelter has been signed by the juvenile court judge. No such child shall be detained for longer than thirty days without an order, signed by the judge, authorizing continued detention. In every order authorizing continued detention the court shall make and enter its findings upon which continued detention is based. ((A child in need of detention either by reason of assaultive conduct or because of probable failure to appear for further proceedings, whether alleged to be dependent or delinquent, shall, prior to findings and disposition by the court pursuant to RCW 13.04.095, be the responsibility of and provided for by the juvenile court. The juvenile court shall also provide necessary detention facilities and services for a child previously paroled from juvenile correctional facilities whose parole has been suspended by juvenile parole authorities based on one or more allegations of violation of a condition or conditions of parole.))

Sec. 40. Section 5, chapter 160, Laws of 1913 and RCW 13.04.060 are each amended to read as follows:

Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing within the county, a dependent ((or delinquent)) child and praying that the superior court deal with such child as provided in this chapter: PROVIDED, That in counties having paid probation officers, such officers shall, as far as possible, first determine if such petition is reasonably justifiable. Such petition shall be verified and shall contain a statement of facts constituting such dependency ((or delinquency)), as defined in RCW 13.04.010, and the names and residence, if known to the petitioner, of the parents, guardian, or custodian of such dependent ((or delinquent)) child. There shall be no fee for filing such petitions.

Sec. 41. Section 6, chapter 160, Laws of 1913 and RCW 13.04.070 are each amended to read as follows:

Upon the filing of an information, or the petition, the clerk of the court shall issue a summons requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall not be less than twenty-four hours after service. The parents of the child, if living, and their residence is known, or its legal guardian, if there be one or if there is neither parent nor guardian, or if his or her residence is not known, then some relative, if there be one, and his residence is known, shall be notified of the proceedings; and in any case the judge shall appoint some suitable person or association to act in behalf of the child. If the person summoned as herein provided, shall fail without reasonable cause to appear and abide the order of the court, or bring the child, he shall be proceeded against as for contempt of court. In case the summons cannot be served or the parties served fail to obey ((the)) the same, and in any case when it shall be made to appear to the court that said summons will be ineffectual, a warrant may issue on the order of the court, either against the parent or guardian or the person having custody of the child, or with whom the child may be, or against the child itself. On return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Pending the final disposition of the case, the child may be retained in the possession of the person having charge of same, or may be kept in some suitable place provided by the city or county authorities, or by any association having for one of its objects the care of ((delinquent and dependent)) children.

Sec. 42. Section 7, chapter 160, Laws of 1913 as amended by section 4, chapter 302, Laws of 1961 and RCW 13.04.080 are each amended to read as follows:

In ((any)) a dependency case where it shall appear by the petition or verified statement, that the person standing in the position of natural or legal guardian of the person of any child, is a nonresident of this state, or that the name or place of residence or whereabouts of such person is unknown, as well as in all cases where, after due diligence, the officer has been unable to make service of the summons or notice provided for in RCW 13.04.070, and a copy of said notice has been deposited in the post office, postage prepaid, directed to such person at his last known place of residence, the court may order said notice published in a legal newspaper printed in the county, qualified to publish summons, once a week for three consecutive weeks, the first publication of said notice to be at least twenty-five days prior to the date fixed for the hearing. Such notice shall be directed to the parent, parents, or other person claiming the right to the custody of the child, if their names are known, or if unknown, the phrase 'To whom it may concern' shall be used and apply to, and be binding upon, any such persons whose names are unknown. The name of the court, the name of the child (or children if of one family), the date of the filing of the petition and the date of hearing and the object of the proceeding in general terms, shall be set forth and the whole shall be subscribed by the clerk. There shall be filed with the clerk an affidavit showing due publication of the notice and the cost of publication shall be paid by the county at not to exceed the rate paid by the county for other legal notices. The publication of notice shall be deemed equivalent to personal service upon all persons, known or unknown, who have been designated as provided in this section.

Sec. 43. Section 5, chapter 302, Laws of 1961 and RCW 13.04.091 are each amended to read as follows:

All dependency hearings may be conducted at any time or place within the limits of the county, and such cases shall not be heard in conjunction with other business of the court. The general public shall be excluded and only such persons shall be admitted who are found by the judge to have a direct interest in the case or in the work of the court.

Stenographic notes or any device which accurately records the proceedings may be required as provided in other civil cases pursuant to RCW 2.32.200.

Sec. 44. Section 6, chapter 302, Laws of 1961 as last amended by section 2, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 13.04.095 are each amended to read as follows:

When any child shall be found to be (~~delinquent or~~) dependent, within the meaning of this chapter, the court shall make such order for the care, custody, or commitment of the child as the child's welfare in the interest of the state require. Subject to further order, the court may commit the child:

- (1) To the care of such child's parents, subject to supervision of the probation officer; or
- (2) To the custody of a probation officer, subject to such conditions as the judge may impose; or
- (3) To a reputable citizen or association able and willing to receive and care for such child; or
- (4) To an appropriate private agency authorized to care for children; or
- (5) To the department of social and health services: PROVIDED, That only a child found to be delinquent may be placed in a facility established pursuant to chapter 72.05 RCW or chapters 72.16 through 72.20 RCW except that a dependent child whose dependency arises from incorrigibility as defined by RCW 13.04.010(7) may be committed to a diagnostic and treatment facility for not more than thirty days if the court finds that (a) the conduct of the child evidences a substantial likelihood of degenerating into serious delinquent or criminal behavior if not corrected, and (b) other, less restrictive alternatives have failed, and (c) custodial treatment in a diagnostic and treatment facility is available and is reasonably expected to correct such degeneration: PROVIDED, That such housing and treatment shall be entirely separate from that of delinquents.

In no case shall a child be committed beyond the age of twenty-one years. A child committed to the department of institutions shall be subject to the supervision and control thereof and the department shall have the power to parole such child under such conditions as may be prescribed.

The department of social and health services shall have the power to discharge such child from custody, and the court shall have the power to rescind the commitment of such child, whenever his or her reformation shall be deemed complete.

The court shall rescind the commitment of any dependent child who was, prior to March 21, 1967, committed to the department of institutions unless such child is incorrigible (~~or delinquent~~) within the meaning of this chapter and the department of institutions shall return the child forthwith to the committing court for such action: PROVIDED, That the court may commit such dependent child as otherwise provided in this chapter.

Sec. 45. Section 8, chapter 160, Laws of 1913 as last amended by section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100 are each amended to read as follows:

An order of commitment may be temporary or permanent in the discretion of the court, and may be revoked or modified as the circumstances of the case may thereafter require. In any case in which the court shall find the child dependent (~~or delinquent~~), it may in the same or subsequent proceeding upon the parent or parents, guardian, or other person having custody of said child, being duly summoned or voluntarily appearing, proceed to inquire into the ability of such persons or person to support the child or contribute to its support, and if the court shall find such person or persons able to support the child or contribute thereto, the court may enter such order or decree as shall be according to equity in the premises, and may enforce the same by execution, or in any way in which a court of equity may enforce its decrees.

Sec. 46. Section 1, chapter 188, Laws of 1955 as amended by section 8, chapter 302, Laws of 1961 and RCW 13.04.105 are each amended to read as follows:

In any dependency case in which an order or decree of the juvenile court requiring a parent or parents, guardian, or other person having custody of a child to pay for detention care and/or support of such child is not complied with, the court may, upon such person or persons being duly summoned or voluntarily appearing, proceed to inquire into the amount due upon said order or decree and enter judgment for such amount against the defaulting party or parties, and such judgment shall be docketed as are other judgments for the payment of money.

In such judgments, the county in which the same are entered shall be denominated the judgment creditor, or the state may be the judgment creditor where the child is in the custody of a state agency and said judgments may be enforced by the prosecuting attorney of such county, or the attorney general where the state is the judgment creditor and any moneys recovered thereon shall be paid into the registry of the juvenile court and shall be disbursed to such person, persons, agency, or governmental department as the court shall find to be entitled thereto.

Such judgments shall remain as valid and enforceable judgments for a period of six years subsequent to the entry thereof.

Sec. 47. Section 9, chapter 160, Laws of 1913 and RCW 13.04.110 are each amended to read as follows:

In any dependency case where the court shall award a child to the care of any association or individual, the child shall, unless otherwise ordered, become a ward and be subject to the guardianship of the association or individual to whose care it is committed; such association shall have authority, with the assent of the court, to place such child in a family home, either temporarily or for adoption. With the written consent of the parents, or other person having the right, under the laws of this state, to dispose of a dependent (~~or delinquent~~) child, the court may make an order or decree of adoption transferring to any suitable person or persons, willing to receive such child, all the rights of the parent or other guardian. The order of the court made upon such consent will be binding upon the child and its parents or guardian, or other person, the same as if such person were in court and consented thereto, whether made a party to the proceedings or not. The estate or property rights of any child shall not be affected nor subject to guardianship by the provisions of this chapter. The jurisdiction of the court shall continue over every child brought before the court, or committed pursuant to this chapter, and the court shall have power to order a change in the care or custody of

such child, if at any time it is made to appear to the court that it would be for the best interests of the child to make such change.

Sec. 48. Section 11, chapter 160, Laws of 1913 and RCW 13.04.115 are each amended to read as follows:

No court or magistrate shall commit a child under sixteen years of age to a jail, common lock-up, or police station; but if such child is unable to give bail, ((it)) he or she may be committed to the care of the sheriff, police officer, or probation officer, who shall keep such child in some suitable place or house or school of detention provided by the city or county, outside the inclosure of any jail or police station, or in the care of any association willing to receive ((it)) him or her and having as one of its objects the care of ((~~delinquent~~)) dependent or neglected children. When any child shall be sentenced to confinement in any institution to which adult convicts are sentenced, it shall be unlawful to confine such child in the same building with such adult convicts, or to bring such child into any yard or building in which such adult convicts may be present.

Sec. 49. Section 15, chapter 160, Laws of 1913 and RCW 13.04.150 are each amended to read as follows:

Any order made by the court in the case of a dependent ((~~or delinquent~~)) child may at any time be changed, modified or set aside, as to the judge may seem meet and proper.

Sec. 50. Section 1, chapter 116, Laws of 1953 and RCW 13.04.170 are each amended to read as follows:

In all cases where any child is dependent ((~~or delinquent~~)) or is determined by a court to have committed an offense under the terms of this title, the parent or parents, legal guardian, or person having custody of such child, or any other person, who, by any act or omission, encourages, causes or contributes to the dependency or ((~~delinquency~~)) unlawful conduct of such child shall be guilty of a misdemeanor, and upon conviction thereof, be punished by fine not exceeding one thousand dollars, or imprisonment in the county jail for not more than one year, or by both such fine and imprisonment, and the juvenile court shall have jurisdiction of all such misdemeanors. The court may suspend sentence for a violation of the provisions of this section and impose conditions as to conduct in the premises of any person so convicted, and make such suspension depend upon the fulfillment by such person of the conditions, and, in case of the breach of the conditions, or any thereof, the court may impose sentence as though there had been no suspension. The court may also, as a condition of such suspension, require a bond in such sum as it may designate, to be approved by the court, to secure the performance by such persons of the conditions imposed by the court on such suspension. The bond shall, by its terms, be made payable to the state, and any moneys received for a breach thereof shall be paid into the county treasury.

NEW SECTION. Sec. 51. If any provision of this 1977 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.

NEW SECTION. Sec. 52. Sections 1 through 37 of this 1977 amendatory act shall constitute a new chapter in Title 13 RCW.

NEW SECTION. Sec. 53. The following acts or parts of acts are each hereby repealed:

- (1) Section 3, chapter 302, Laws of 1961 and RCW 13.04.056;
- (2) Section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120;
- (3) Section 14, chapter 160, Laws of 1913 and RCW 13.04.140;
- (4) Section 16, chapter 160, Laws of 1913 and RCW 13.04.160;
- (5) Section 18, chapter 160, Laws of 1913 and RCW 13.04.180;
- (6) Section 10, chapter 302, Laws of 1961 and RCW 13.04.190;
- (7) Section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200;
- (8) Section 13, chapter 302, Laws of 1961 and RCW 13.04.210;
- (9) Section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220;
- (10) Section 15, chapter 302, Laws of 1961 and RCW 13.04.230;
- (11) Section 16, chapter 302, Laws of 1961 and RCW 13.04.240;
- (12) Section 1, chapter 93, Laws of 1967 and RCW 13.04.250; and
- (13) Section 1, chapter 170, Laws of 1975 1st ex. sess. and RCW 13.04.260.

NEW SECTION. Sec. 54. Section 7 of this 1977 amendatory 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 on July 1, 1977. The remainder of this 1977 amendatory act shall take effect on July 1, 1978.

NEW SECTION. Sec. 55. (1) There is appropriated for the period July 1, 1978, to June 30, 1979, from the general fund nine hundred eighty-three thousand six hundred dollars to be allocated to counties for the cost of operating diversion units as required by this chapter.

(2) The secretary shall administer the funds and shall promulgate, pursuant to chapter 34.04 RCW, rules establishing a planning process and standards which meet the intent of this chapter. The secretary shall also monitor and evaluate, against established standards, all programs and services funded by this appropriation.

(3) The total sum shall be allocated by the secretary to the counties. Diversion units funded by this section shall be administered and operated separately from the court: PROVIDED, That counties of classes other than AA and A may request for an exemption from this requirement. The secretary may grant such

exemption if it is clearly demonstrated that resources do not exist nor can be established in such county to operate diversion units separately from the court.

(4) In meeting the requirements of this chapter, there shall be a maintenance of effort whereby counties shall exhaust existing resources prior to the utilization of funds appropriated by this section.

(5) It is the intent of the legislature that these funds shall be the maximum amount necessary to meet the requirement of this chapter for the stated period. Courts shall be required to provide diversion programs and services to the extent made possible by available sources. In addressing diverted youths, a resource priority continuum shall be developed whereby the highest priority in resource allocation shall be given to diverted youths who have inflicted bodily harm while the lowest priority shall be given to diverting youths who have committed victimless crimes or minor property offenses."

In the title, strike everything after "juvenile court;" on line 1 and insert "amending section 1, chapter 160, Laws of 1913 as amended by section 1, chapter 302, Laws of 1961 and RCW 13.04.010; amending section 2, chapter 302, Laws of 1961 as amended by section 1, chapter 101, Laws of 1973 1st ex. sess. and RCW 13.04.053; amending section 5, chapter 160, Laws of 1913 and RCW 13.04.060; amending section 6, chapter 160, Laws of 1913 and RCW 13.04.070; amending section 7, chapter 160, Laws of 1913 as amended by section 4, chapter 302, Laws of 1961 and RCW 13.04.080; amending section 5, chapter 302, Laws of 1961 and RCW 13.04.091; amending section 6, chapter 302, Laws of 1961 as last amended by section 2, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 13.04.095; amending section 8, chapter 160, Laws of 1913 as last amended by section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100; amending section 1, chapter 188, Laws of 1955 as amended by section 8, chapter 302, Laws of 1961 and RCW 13.04.105; amending section 9, chapter 160, Laws of 1913 and RCW 13.04.110; amending section 11, chapter 160, Laws of 1913 and RCW 13.04.115; amending section 15, chapter 160, Laws of 1913 and RCW 13.04.150; amending section 1, chapter 116, Laws of 1953 and RCW 13.04.170; adding a new chapter to Title 13 RCW; repealing section 3, chapter 302, Laws of 1961 and RCW 13.04.056; repealing section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120; repealing section 14, chapter 160, Laws of 1913 and RCW 13.04.140; repealing section 16, chapter 160, Laws of 1913 and RCW 13.04.160; repealing section 18, chapter 160, Laws of 1913 and RCW 13.04.180; repealing section 10, chapter 302, Laws of 1961 and RCW 13.04.190; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200; repealing section 13, chapter 302, Laws of 1961 and RCW 13.04.210; repealing section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220; repealing section 15, chapter 302, Laws of 1961 and RCW 13.04.230; repealing section 16, chapter 302, Laws of 1961 and RCW 13.04.240; repealing section 1, chapter 93, Laws of 1967 and RCW 13.04.250; repealing section 1, chapter 170, Laws of 1975 1st ex. sess. and RCW 13.04.260; prescribing penalties; making an appropriation; declaring an emergency; and providing an effective date."

Signed by Representatives Hanna, Chairman; Hurley (George), Vice Chairman; Struthers, Ranking Minority Member; Becker, Deccio, Fischer, Greengo, Knowles, Salatino.

To Committee on Rules for second reading.

May 9, 1977

**SUBSTITUTE SENATE BILL NO. 3053, Prime Sponsor: Senator Goltz, redesignating rights relative to dismissal of community college faculty. Reported by Committee on Higher Education.**

**MAJORITY recommendation: Do pass with the following amendment:**

On page 1, line 4 strike all of section 1 and insert the following:

**"NEW SECTION. Section 1.** There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

The district board of trustees of any community college district currently operating an educational program with funds provided by another state agency, including federal funds, which program has been in existence for five or more years under the administration of one or more community college districts, shall provide for the award or denial of tenure to anyone who holds a special faculty appointment in such curricular program and for as long as the program continues to be funded in such manner, utilizing the prescribed probationary processes and procedures set forth in this chapter with the exception that no student representative shall be required to serve on the review committee defined in RCW 28B.50.851: PROVIDED, That such review processes and procedures shall not be applicable to faculty members whose contracts are renewed after the effective date of this act and who have completed at least three consecutive years of satisfactory full time service in such program, who shall be granted tenure by the community college district: PROVIDED FURTHER, That faculty members who have completed one year or more of satisfactory full time service in such program shall be credited with such service for the purposes of this section: PROVIDED, FURTHER, That provisions relating to tenure for faculty under the provisions of this section shall be distinct from provisions relating to tenure for other faculty of the community college district and faculty appointed to such special curricular program shall be treated as a separate unit as respects selection, retention, reduction in force or dismissal hereunder: AND PROVIDED FURTHER, That the provisions of this section shall only be applicable to faculty holding a special faculty appointment in an educational program operated in a state correctional institution pursuant to a written contract with a community college district."

Signed by Representatives Erickson, Chairwoman; Burns, Vice Chairman; Grimm, Haley, Oliver, Thompson.

To Committee on Rules for second reading.

May 9, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3093, Prime Sponsor: Senator Henry, establishing procedures for the construction of state ferries. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 29 after "information" insert "or requirements"

On page 2, line 1 after "authority" strike "elects" and insert "decides"

On page 2, line 5 after "state," insert "In addition, the authority shall mail said notice to any firm known to the authority which has expressed an interest in constructing ferries for the Washington state ferry system within the previous 10 years."

On page 2, line 20 after "it" strike all the material down to and including "ferry system" on line 22

On page 3, line 16 after "proposal" insert ", together with an explanation of the requirement that all proposals submitted be accompanied by a deposit in the amount of five percent of the proposed cost"

On page 4, after line 25 insert a new subsection (9) as follows:

"(9) Proposals submitted by firms pursuant to this section shall constitute an offer and shall remain open for ninety days. When submitted, each proposal shall be accompanied by a deposit in cash, certificated check, cashier's check, or surety bond in an amount equal to five percent of the amount of the proposed contract price and no proposal shall be considered unless the deposit is enclosed therewith. If the authority awards a contract to a firm pursuant to the procedure set forth in this section and the firm fails to enter into the contract and furnish a satisfactory bond as required by section 3 of this 1977 amendatory act within twenty days, exclusive of the day of the award, his deposit shall be forfeited to the state and be deposited by the state treasurer to the credit of the Puget Sound capital construction account. Upon the execution of a ferry construction contract all proposal deposits shall be returned."

Renumber the remaining subsection accordingly.

On page 5, line 28 after "denied," insert a new paragraph as follows:

"Neither the Washington toll bridge authority nor the department of highways shall accept any bid, or consider any proposal for a negotiated ferry vessel construction contract, from a firm which has not pre-qualified pursuant to this section."

On page 23, line 19 after "bid or" strike "negotiated" and insert "proposed"

On page 23, after line 22 add a new section to read as follows:

"**NEW SECTION.** Sec. 9. If any provision of this 1977 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."

Renumber the remaining section consecutively.

Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Gallagher, Grier, McCormick, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

#### MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, May 11, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTY-SECOND DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, May 11, 1977.

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, Pages Trina Kilmer and Jim Kahney. Prayer was offered by Reverend George 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.

MESSAGES FROM THE SENATE

May 10, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 816,  
SUBSTITUTE SENATE BILL NO. 2186,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 10, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 199,  
HOUSE BILL NO. 287,  
SUBSTITUTE HOUSE BILL NO. 563,  
HOUSE BILL NO. 755,  
SUBSTITUTE SENATE BILL NO. 2063,  
SENATE BILL NO. 2208,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 10, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2156, and the President has appointed as Senate conferees thereon: Senators Day, Woody, Clarke.

Sidney R. Snyder, Secretary.

May 10, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 2082, and the President has appointed as Senate conferees thereon: Senators Wilson, Day, Gould.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2186, by Committee on Energy and Utilities (Originally sponsored by Senators Guess and Washington):

Exempting solar heating and energy saving improvements from the sales and use tax.

To Committee on Revenue



## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 816,  
SUBSTITUTE SENATE BILL NO. 2063,  
SENATE BILL NO. 2208.

## REPORTS OF STANDING COMMITTEES

May 10, 1977

HOUSE BILL NO. 1307, Prime Sponsor: Representative Fortson, providing for a liquefied natural gas hazards management study. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

- On page 1, line 10 after "ports" insert ", liquefied petroleum gas ports."
- On page 1, line 14 strike "oceanographic commission" and insert "legislature of the state of Washington"
- On page 1, line 15 after "gas" insert "and liquefied petroleum gas,"
- On page 1, line 18 after "gas" insert "and liquefied petroleum gas,"
- On page 1, line 20 after "gas" insert "and liquefied petroleum gas"
- On page 1, line 23 after "gas" insert "and liquefied petroleum gas"
- On page 1, line 24 after "gas" insert "and liquefied petroleum gas"
- On page 1, line 26 after "gas" insert "and liquefied petroleum gas"
- On page 1, line 28 strike "port" and insert "and liquefied petroleum gas port facilities and liquefied natural gas"
- On page 2, beginning on line 3 strike "oceanographic commission" and insert "legislature"
- On page 2, line 4 after "port" insert ", a liquefied petroleum gas port, or a liquefied natural gas storage"
- On page 2, line 9 strike "oceanographic commission" and insert "legislature of the state"
- On page 2, line 10 strike "sixty-nine" and insert "seventy-six"

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Pearsall, Williams, Wilson.

To Committee on Rules for second reading.

May 10, 1977

SENATE JOINT RESOLUTION NO. 113, Prime Sponsor: Senator Van Hollebeke, amending the Constitution to increase the jurisdictional limits of justices of the peace. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass with the following amendments:

- On page 1, line 13 after "controversy" strike all material down to and including "sum" on line 14 and insert "((amounts to one thousand dollars, or a lesser sum)) , as determined by the legislature, is"
- On page 2, line 13 after "is" strike all material down to and including "be" on line 15 and insert "((less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be)) as"

Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Charette, Patterson, Sommers.

To Committee on Rules for second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## SECOND READING

**SUBSTITUTE SENATE BILL NO. 3109**, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander – by Governor Ray request):

Adopting the 1977–79 operating budget.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 61st Day ex. sess., May 10, 1977.)

The Speaker stated the question before the House to be the amendments to page 62 of the committee amendment by Representative Salatino and others.

Representatives Salatino and Boldt spoke in favor of the amendments.

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Shinpoch, this amendment would seem to replace the wording in the original House amendment, mainly to do with why or on what basis certain money was calculated to be allocated to the different districts. In your version it uses the words, 'money available for salary increases,' and it uses in the heading 'Special Appropriation for Salaries Increase.' Would your version, having calculated what the amount of money is to be distributed to the districts based on a salary consideration, mandate that this is a salary increase given by the districts to the teachers?"

Mr. Shinpoch: "I'm not certain that I understand your question. If you're asking does the amendment as presented mandate any particular amount to be given to teachers for salary increases, the answer to that, under the Salatino amendment, is no, it would not."

Mr. Barnes: "My question was regarding the House committee amendment."

Mr. Shinpoch: "I think what you're asking is, does the levy lid as the levy lid bill, Senate Bill No. 2697, intertie with the salary increase in sections 95 and 96 of this bill—would that be applicable? And the answer to that is that it would require changes in Senate Bill No. 2697 in order to make the original concept work. Senate Bill No. 2697 as it exists now would be inoperative if you put the Salatino amendment on."

Mr. Barnes spoke against adoption of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Salatino and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was adopted by the following vote: Yeas, 64; nays, 34; not voting, 0.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Chandler, Clayton, Clemente, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fortson, Fuller, Greengo, Haley, Hanna, Hansen, Hawkins, Hurley M., Lockenby, Lee, May, Newhouse, North, Oliver, Patterson, Schmittens, Shinoda, Struthers, Taller, Tilly, Whiteside.

Mr. Douthwaite moved adoption of the following amendment to the committee amendment by Representatives Douthwaite, Hughes, Pruitt, Ehlers, Salatino, Burns, Williams, Dunlap, Pardini, Walk, Grimm, Pearsall, Grier, Fischer, Erak and Valle:

On page 66, following line 33 insert a new section:

**\*NEW SECTION, Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION** —For General Apportionment Supplement

General Fund Appropriation ..... \$9,549,000

Total Appropriation ..... \$9,549,000  
 The Superintendent of Public Instruction shall develop a schedule for distributing these funds to insure that no district shall receive an increase in each year of less than 4% from funds distributed pursuant to section 95(4) and section 96 of this act."

Renumber the remaining sections consecutively.

Mr. Douthwaite spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Knedlik.

Mr. Knedlik: "Representative Douthwaite, we heard in caucus two different figures on the cost of this: One is \$9.5 million and the other is \$342 million over five years. Can you tell me what the intent is?"

Mr. Douthwaite: "The intent is to provide a floor of 4% for district averages for public school teachers in the coming biennium. The \$9.5 million is what the amendment reads. It is my hope that we will be able to do justice to arrive at a state salary schedule and arrive at fair funding for students as soon as possible. I for one am always ready to vote for taxes to do the job and I hope we will find this tax money necessary. I think to honestly answer your question, it's not clear really at this point, Representative Knedlik, at which time we are going to ultimately resolve this issue."

Representatives McKibbin, Schmitt, Shinpoch and Barnes spoke against the amendment, and Representatives Sommers and King spoke in favor of it.

POINT OF INQUIRY

Mr. McKibbin yielded to question by Mr. Bauer.

Mr. Bauer: "Representative McKibbin, what will be the final percentage spread between the current House plan and the Douthwaite amendment?"

Mr. McKibbin: "There seems to be some question about what this would do and so I have checked the figures on this. Under the House proposal as it is written, in its culminating year, the fifth year, the spread should be next to zero, but it might vary as much as a single percentage point. By the amendment that is brought forth, that spread will be 7.4%. We have just run those figures to find out what the costs would be and it would leave a spread of 7.4% between the top salary and the average salary."

Mr. Clayton spoke against the amendment, and Mr. Douthwaite closed debate, speaking again in favor of it.

Mr. Warnke demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; not voting, 1.

Voting yea: Representatives Adams, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gaines, Gallagher, Grier, Grimm, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Martinis, Maxie, Nelson D., O'Brien, Pardini, Pearsall, Pruitt, Salatino, Sanders, Sherman, Smith, Sommers, Valle, Vrooman, Walk, Warnke, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Chandler, Clayton, Clemente, Craswell, Deccio, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Knowles, Leckenby, Lee, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Polk, Schmitt, Shinoda, Shinpoch, Struthers, Taller, Thompson, Tilly, Whiteside, Zimmerman, and Mr. Speaker.

Not voting: Representative Wilson.

Mrs. Lee moved adoption of the following amendment by Representatives Lee, Wilson, Paris, Schmitt, Whiteside, Bond, Winsley, Nelson (Gary), Barnes, Berentson, Amen, Leckenby, Gilleland, Greengo, Clayton, Blair, Tilly, Polk, Zimmerman, Taller, Fuller, Dunlap, Craswell, Fancher, Barr and Chandler to the committee amendment:

On page 61, beginning on line 34 strike all the material down to and including "\$24,007,122" on page 71, line 17 and insert:

"NEW SECTION. Sec. 94. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)  
 General Fund Appropriation—State ..... \$ 9,822,000

General Fund Appropriation—Federal.....	\$	5,333,000
General Fund—Traffic Safety Education Account Appropriation.....	\$	323,250
Total Appropriation.....	\$	15,478,250

**NEW SECTION, Sec. 95. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
BASIC EDUCATION ALLOCATION FOR FISCAL YEAR 1978 AND FISCAL YEAR 1979**

General Fund Appropriation.....	\$	1,378,800,000
Total Appropriation.....	\$	1,378,800,000

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

(1) The allocation of funds for the basic education entitlement under this section shall be seventy percent of formula allocation for fiscal year 1978 and eighty percent of formula allocation for fiscal year 1979.

(2) The allocation of moneys for a basic education allocation per annual average full time equivalent student for the 1977-78 school year and 1978-79 school year in each school district shall be determined by the superintendent of public instruction as follows:

(a) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual twenty full time equivalent kindergarten, elementary, and secondary students;

(b) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual sixteen and sixty-seven hundredths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction;

(c) Because of increased costs for operating such plants for remote and necessary elementary districts with enrollments of less than one hundred full time equivalent pupils, and for remote and necessary schools within a district, with less than one hundred full time equivalent pupils enrolled in the remote school, all as approved by the state board of education, there shall be the numerical allocation of certificated staff hereunder as follows: For grades kindergarten through six, for enrollments up to sixty full time equivalent pupils, three certificated staff units; for enrollments above sixty full time equivalent pupils, an additional certificated staff unit based upon a ratio of one certificated staff unit per twenty pupils; for grades seven through eight, for enrollments up to twenty full time equivalent pupils, one certificated staff unit; for enrollments above twenty full time equivalent pupils, an additional certificated staff unit based upon a ratio of one certificated staff unit per twenty pupils: PROVIDED FURTHER, That because of increased costs for operating such plants for high schools with enrollment of less than three hundred full time equivalent pupils, nine and one-half certificated staff units for the first sixty full time equivalent pupils; and an additional certificated staff unit for each forty-three and six-tenths additional full time equivalent pupils: AND PROVIDED FURTHER, That because of increased costs for operating such plants, for urban area schools, all as approved as such by the superintendent of public instruction, there shall be such additional certificated staff units to the number of full time equivalent enrolled pupils as determined by the superintendent of public instruction and approved by the legislature: AND, PROVIDED FURTHER, For those school districts (i) with programs necessitating additional costs through interdistrict cooperation under RCW 28A.58.075, or as otherwise provided by law, or (ii) with costs resulting from students who reside in any home or institution devoted to providing a home for dependent or otherwise referred or entrusted children exempt from taxation under the laws of the state, or (iii) having over three percent of its students living on property owned by the state, any of its political subdivisions or any municipal corporation, there shall be such additional certificated staff units to the number of full time equivalent enrolled pupils as determined by the superintendent of public instruction and approved by the legislature.

Notwithstanding any other provision of this section, the superintendent of public instruction, in ascertaining the full time equivalent pupil enrollment under this section for any school district declining in such enrollment from the immediately preceding school year, shall increase such enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from such previous year.

Notwithstanding any other provision of this section, the superintendent of public instruction, in ascertaining the full time equivalent pupil enrollment under this section for any school district which has an enrollment in the current year larger than its enrollment in any of the immediately preceding five years and which has increased its enrollment by four percent, or more, over the immediately preceding year, shall increase such enrollment as otherwise herein computed by twenty percent of the full time equivalent pupil enrollment increase of the current year over the year immediately preceding.

(d) Salaries shall be calculated as herein provided for certificated staff units generated in subsections (a) through (c) above. The superintendent of public instruction shall determine for each school year the base level of salary support per certificated staff unit, at not less than the base level of salary support per certificated staff unit for 1976-77. The base level of salary support per certificated staff unit for 1976-77 shall be calculated by dividing the state-wide average salary of certificated staff units by the state-wide average pay differential factor as determined by the superintendent's staff education and experience table. The base level of salary support per certificated staff unit, multiplied by the superintendent's pay differential factor, shall determine the dollars of salary support for each certificated staff unit.

Using the dollar amount determination as provided for in this subsection above multiplied by the numerical allocation determined in subsections (a), (b), (c) and (d) above, the financial equalization sum as related to certificated employees shall be thus established for each district, except as otherwise in this section provided.

In addition to the dollar support hereinabove in this subsection provided, each school district shall receive for certificated employee benefits, an amount sufficient to reimburse such district for their payments

to the old-age and survivors insurance system embodied in the social security act, industrial insurance, or any other employee benefit program mandated by the legislature for their certificated staff units other than for employee retirement.

(e) Respecting classified employees: The numerical allocation of classified staff shall be computed on a ratio of one classified staff member for each sixty full time equivalent kindergarten, elementary and secondary pupils enrolled in the school district regular program including therein the additional factor for students enrolled in vocational programs.

(f) Salaries shall be calculated as herein provided for classified staff units generated in subsection (e) above. The superintendent of public instruction shall determine for each school year the base level of salary support per classified staff unit, at not less than the base level of salary support per classified staff unit for 1976-77.

Using the dollar amount determination as provided for in this subsection above multiplied by the numerical allocation determined as aforesaid, the financial equalization sum as related to classified employees shall be thus established for each district, except as otherwise in this section provided.

In addition to the dollar support hereinabove in this subsection provided, each school district shall receive for classified employee benefits, an amount sufficient to reimburse such district for their payments to the old-age and survivors insurance system embodied in the social security act, for employee retirement, industrial insurance, or any other benefit program mandated by the legislature for their classified staff units.

(g) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for the 1977-78 and 1978-79 school years shall utilize the number of certificated staff units as computed for the purposes of subsections (a) and (c) above, multiplied by \$3,416 for each such certificated staff unit and for the purpose of subsection (b) above multiplied by \$3,850 for each certificated staff unit: PROVIDED, That in addition the superintendent shall determine the number of vocational related certificated staff units contained in subsections (a) and (c) above and multiply them by \$3,850.

(h) The enrollment of any district for the purposes of determining full time equivalent pupils for the purposes of this section shall be based on the average number of full time equivalent pupils and part time pupils as provided for in chapter ... (SHB 960), Laws of 1977 1st ex. sess. enrolled on the first school day of each month. Certificated employee for the purposes of this section shall include the superintendent of the school district.

(i) In determining the allocation of moneys for financial equalization under this section, each district will be compensated for extragovernmental costs in excess of three percent of standard administrative costs upon approval by the superintendent of public instruction under rules and regulations promulgated by the superintendent in accordance with chapter 34.04 RCW: PROVIDED, That to qualify for such costs under this paragraph, a school district shall:

- (i) Describe the extraordinary administrative demands;
- (ii) Describe the administrative functions necessary to meet such demands; and
- (iii) Estimate the staff hours required to perform such administrative functions. Extraordinary administrative demands, as defined in rules and regulations of the superintendent, may include, but not necessarily be limited to, the following:

- (A) Racial and/or socio-economic integration;
- (B) Equal employment opportunity;
- (C) Extraordinary management required by, but not funded by, grants from whatsoever source; and
- (D) Extraordinary management required by, but not funded by, any federal, state or local law.

**NEW SECTION. Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—**

**FOR HANDICAPPED EXCESS COSTS**

General Fund Appropriation—State .....	\$ 87,285,000
General Fund Appropriation—Federal .....	\$ 12,594,000
Total Appropriation .....	\$ 99,879,000

(1) The number of students receiving special education for learning language disabilities shall not exceed 1.75 percent of the total student enrollment during the 1977-78 school year, and 2.0 percent of the total student enrollment during the 1978-79 school year.

(2) The appropriation contained herein shall provide for staffing ratios of one certificated teacher for each ten full time equivalent students in self-contained classrooms and shall also reduce the certificated teacher to student ratios in resource rooms from 1:35 to 1:26 by the 1978-79 school year.

(3) The superintendent shall distribute sufficient funds to provide for an increase in approved aide hours from 2.6 to 3.0 aid hours per day.

(4) The superintendent shall distribute sufficient funds to provide for a 535 student increase in preschool handicapped enrollment.

(5) The superintendent shall distribute not more than \$75,000 for implementation of the eye safety program.

(6) The superintendent shall distribute not more than \$36,000 for continuation of the program to instruct teachers and school nurses in techniques for recognizing and caring for epileptic students.

**NEW SECTION. Sec. 97. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—**

**FOR GIFTED SPECIAL PROGRAMS**

General Fund Appropriation .....	\$ 4,550,000
Total Appropriation .....	\$ 4,550,000

The enrollment supported by this appropriation shall increase from 1,300 students in 1976-77 to 3,100 students in 1977-78 and to 4,000 students in 1978-79 in special programs approved by the superintendent.

**NEW SECTION. Sec. 98. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STUDENT TRANSPORTATION**

General Fund Appropriation .....	\$	92,641,108
Total Appropriation .....	\$	92,641,108

(1) The appropriation contained in this section shall be expended exclusively for transportation of students "to and from" public schools and/or to approved learning centers and shall be expended in accordance with the provisions of chapter 392-141 WAC as such chapter exists on the effective date of this act. Sufficient funds are provided to reimburse school districts at a rate not to exceed 80 percent during the first year of the biennium and at a rate not to exceed 100 percent during the second year of the biennium: PROVIDED, That the superintendent shall make such reimbursements only to the extent necessary to reach the funding levels herein provided. Any portion of this appropriation not required to fund the respective reimbursement levels shall be placed in reserve and revert to the general fund at the end of each respective fiscal year.

(2) The appropriate reports required by chapter 392-141 WAC in existence on the effective date of this act shall be certified by the respective school district as being in compliance with the said chapter of the WAC.

(3) The superintendent shall distribute not more than \$415,544 for regional transportation coordinators.

**NEW SECTION. Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation .....	\$	28,375,000
Total Appropriation .....	\$	28,375,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,270,000 of this appropriation shall be for the replacement of obsolete equipment.

**NEW SECTION. Sec. 100. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State .....	\$	10,903,188
General Fund Appropriation—Federal .....	\$	3,654,170
Total Appropriation .....	\$	14,557,358

**NEW SECTION. Sec. 101. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONALLY DISADVANTAGED**

General Fund Appropriation .....	\$	55,553,478
Total Appropriation .....	\$	55,553,478

(1) For those districts with educationally disadvantaged children, meaning children who come to school lacking skills, attitudes and behaviors normally acquired outside of school and which are necessary to benefit from the regular school program, additional funding for certificated staff, classified staff, and nonemployee costs shall be provided. The allotment of staff and the funding of nonemployee costs shall be determined in the same manner as for regular programs (not including vocational or handicapped programs). Districts shall be entitled to additional funding in accordance with this subsection for the following:

- (a) 0.1 of the total full time equivalent pupils enrolled who are eligible for free or reduced-price lunch;
- (b) 0.4 of the total full time equivalent pupils enrolled who meet the criteria in (a) above and who reside in a school district with a thirty percent or greater concentration of pupils eligible for free or reduced-price lunch; and
- (c) 0.2 of the total full time equivalent pupils enrolled who meet federal eligibility standards for bilingual instruction or who rank in the lower ten percent state-wide on the total reading score on state achievement tests.

Prior to disbursement of funds to any district for educationally disadvantaged programs, the superintendent of public instruction must certify that:

- (i) The district's program is designed to meet the needs of educationally disadvantaged children; and
- (ii) Funds previously disbursed for educationally disadvantaged programs have not been spent for purposes other than educationally disadvantaged programs.

(2) The appropriation provided for in this section shall replace the previous allocations under programs for the urban, rural, racial disadvantaged students and cultural enrichment programs.

**NEW SECTION. Sec. 102. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State .....	\$	4,941,000
General Fund Appropriation—Federal .....	\$	55,199,000
Total Appropriation .....	\$	60,140,000

**NEW SECTION. Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation .....	\$	6,707,246
Total Appropriation .....	\$	6,707,246

Up to \$765,855 of this appropriation shall be allocated for the programs of environmental education at the Cispus Center operated by ESD 113 and the Northwest Environmental Education Center operated by ESD 121.

**NEW SECTION. Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER FOR MATHEMATICS AND SCIENCE EDUCATION  
SERVICES TO BE PROVIDED PUBLIC SCHOOL STUDENTS AND TEACHERS**

General Fund Appropriation .....	\$	261,000
Total Appropriation .....	\$	261,000

The appropriation contained in this section shall be subject to the following condition or limitation: It shall be expended exclusively for the purpose of implementing the contract for educational services between the Pacific Science Center and the superintendent of public instruction. The transfer of title to the astronomy education facility and equipment to the Pacific Science Center Foundation or its successor shall be at such time as the value of educational services provided to public school students and teachers exceeds the costs reimbursed by the superintendent of public instruction and participating school districts by an amount equivalent to at least the cost to the superintendent of public instruction for the construction and acquisition of such facility and equipment.

**NEW SECTION. Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation .....	\$	12,755,519
Total Appropriation .....	\$	12,755,519

Not more than \$330,000 shall be expended for regional coordinators.

**NEW SECTION. Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal .....	\$	72,727,980
Total Appropriation .....	\$	72,727,980
Elementary and Secondary Education Act of 1965 .....	\$	68,356,080
Education of Indian Children .....	\$	1,800,000
Adult Basic Education .....	\$	2,571,900

**NEW SECTION. Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal .....	\$	24,007,122
Total Appropriation .....	\$	24,007,122*

Reumber the remaining sections consecutively and change internal references accordingly.

Representatives Lee, Craswell, Whiteside, Taller and Barnes spoke in favor of the amendment.

**POINT OF INQUIRY**

Mrs. Lee yielded to question by Mr. Burns.

Mr. Burns: "Representative Lee, in your opening comments you indicated that this was not the Citizens for Fair School Funding proposal and yet the speakers who followed you, Representatives Barnes, Taller, Craswell and Whiteside, have alluded time and time again to this as the formula by the Citizens for Fair School Funding. May the body understand that this is not their proposal, that they do not support this proposal because of the increment?"

Mrs. Lee: "I think you have analyzed it correctly. The Citizens for Fair School Funding said they wanted their formula funded at 80% the first year, 90% the second year. This is their formula with some additional moneys put into it, but it funds it at 70% the first year and 80% the second year. In other words, Citizens for Fair School Funding feel that we should be funding more in this biennium than the Senate or the House or for this particular proposal that uses their formula."

Mr. Burns: "But you are saying that they do not support this as their funding proposal?"

Mrs. Lee: "I think I answered that."

Mr. Fuller spoke in favor of the amendment.

**POINT OF INQUIRY**

Mr. Whiteside yielded to question by Mr. Sanders.

Mr. Sanders: "To what level is transportation funded in this amendment?"

Mr. Whiteside: "Contrary to what Representative Burns might have heard, transportation would be funded one hundred percent in this amendment the very same way it would be funded in the House amendment to the Senate budget."

Mr. Berentson spoke in favor of the amendment.

## POINT OF INQUIRY

Mrs. Lee yielded to question by Mr. Smith.

Mr. Smith: "Representative Lee, I have on my desk numerous printouts that show how each of these various funding plans would effect their school districts. I've been trying to find out how those four school districts I represent would fair under this plan, which, as I understand it, appropriates \$300 million less than the Senate plan. Is there a printout that indicates how this money would be distributed to each of the school districts?"

Mrs. Lee: "Let me correct one statement. It's \$ 9 million more than the Senate plan. We did not make a printout. However, if you have the printout from the Citizens for Fair School Funding formula, you would need to subtract approximately 10% from each of those years to arrive at the final formula basis. This plan is phased in over a period of four years rather than a period of three years. We are saying, just as every other plan we have had here, we will probably need to continue some special levies, but that we can phase them out no later than at the end of the next biennium."

Mr. Bender demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lee and others to the committee amendment to Substitute Senate Bill No. 3109, and the amendment was not adopted by the following vote: Yeas, 31; nays, 66; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Eng, Fancher, Fuller, Gilleland, Greengo, Lockenby, Lee, Nelson G. A., Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Bond, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representative Sommers.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

Mr. King 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.

Mr. Bender moved that the House proceed with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

Mr. King moved that the House immediately consider House Joint Resolution No. 15.

The motion was carried.

HOUSE JOINT RESOLUTION NO. 15, by Representatives O'Brien, Lux, North and Sommers:

Authorizing state income tax with limitations upon tax structure.

The resolution was read the second time.

On motion of Ms. Sommers, Substitute House Joint Resolution No. 15 was substituted for House Joint Resolution No. 15, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 15 was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Amen, Craswell, Fuller and Hansen:

On page 2, line 7 after subsection (c) insert a new subsection as follows:



"(d) From and after the initial adoption of an act by the legislature imposing a tax upon or measured by net income, no amendment to such act which changes the definition of taxable income shall be valid unless such amendment is enacted by a majority of the members of each of the two houses of the legislature and is subject to referendum petition."

Mr. Flanagan spoke in favor of the amendment, and Ms. Sommers spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Flanagan and others to page 2, line 7 of Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 37; nays, 61; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hansen, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Clayton and Craswell:

On page 2, line 18 strike "seventy percent" and insert "one-half"

Representatives Tilly, Nelson (Gary), Struthers and Haley spoke in favor of the amendment, and Representatives Sommers, Hurley (George) and Knedlik spoke against it.

Mr. Warnke demanded the previous question, and a division was called.

#### ROLL CALL

The Clerk called the roll on the demand for the previous question on the debate on the amendment to Substitute House Joint Resolution No. 15, and the demand was not sustained by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Valle, Whiteside, Wilson, Winsley, Zimmerman.

Mr. Tilly spoke in favor of the amendment, and Mr. Hawkins spoke against it.

#### MOTION

On motion of Mr. Bender, the Speaker was excused from the Call of the House.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly and others to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 34; nays, 63; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman.

Not voting: Mr. Speaker.

Mr. Fuller moved adoption of the following amendment:

On page 2, following line 23 add a new subsection as follows:

"(c) No city, county or other subdivision of the state shall impose a general business and occupation tax in excess of the greater of two-tenths of one percent of the tax base, or the rate of tax in effect as of December 31, 1976, or a public utility tax in excess of the greater of seven percent of the tax base, or the rate of tax in effect as of December 31, 1976."

Reletter the remaining subsections consecutively.

Representatives Fuller and Pardini spoke in favor of the amendment, and Representatives Sommers and Owen spoke against it.

On motion of Mr. Bender, Representative Lysen was excused from the Call of the House.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuller to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 34; nays, 62; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughea, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Lysen, and Mr. Speaker.

Mr. Deccio moved adoption of the following amendment by Representatives Deccio and Haley:

On page 2, following line 26 add a new subsection as follows:

"(d) The legislature shall have no authority to impose an income tax upon insurers subject to a premiums tax such as imposed by RCW chapter 48.14, as in effect December 31, 1976, and the maximum amount of any such premium tax shall be two percent of taxable premiums."

Reletter the remaining subsections consecutively.

Representatives Deccio and Haley spoke in favor of the amendment, and Ms. Sommers spoke against it.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Sommers, in your rebuttal of Representative Deccio's amendment, you mentioned an exemption for insurance companies. Would you tell me where in Substitute House Joint Resolution No. 15 there is an exemption for insurance companies?"

Ms. Sommers: "I said that in the implementing bill we exempted insurance companies. Those people who are members of the Revenue Committee can show you where that exemption is."

Mr. Pardini: "But it is not in HJR 15?"

Ms. Sommers: "No, it is not."

Mr. Pardini: "It is not in the subject matter before us?"

Ms. Sommers: "It is very definitely the subject matter before us."

Mr. Pardini: "In the exemption, will that exemption also exempt those corporations from their share of an income tax under the Multi-state Tax Act for their earnings in this state?"

Ms. Sommers: "We only have the authority to exempt insurance companies in this state from potential income taxes in this state. If you are referring to income taxes in other states, we don't have that authority, but we have, in the bill, exempted those persons who are subject to premium taxes from payment of any income tax. What you are talking about, I guess, is the apportionment of income. You don't apportion income unless you are subject to the income tax, so they are not apportioning any kind of income here in this state."

Mr. Pardini: "If a major insurance company in the United States does business in this state, will they be taxed under the implementing bill on the portion of income they derive from doing business in this state?"

Ms. Sommers: "No, they will not."

Representatives Kilbury and Knedlik spoke against the amendment, and Mr. Deccio spoke again in favor of it.

The amendment was not adopted.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Amen and Hansen:

On page 2, line 27 strike all of subsection (d) and insert:

"(d) A credit shall be allowed against the tax liability of an individual equal to the larger of (i) thirty dollars, or (ii) the average amount an individual pays in sales tax on food for such taxable year, as determined by regulation by the department of revenue."

Mr. Flanagan spoke in favor of the amendment, and Ms. Sommers spoke against it.

On motion of Mr. Berentson, Representative Leckenby was excused from the Call of the House.

Mr. Amen spoke in favor of the amendment, and Mr. Kilbury spoke against it.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Owen.

Mr. Owen: "One of the major concerns I can see here in this system is lost revenue to cities, especially cities with no industrial base or high tourism. I've been told that in the implementing bill there is a mechanism for reimbursing those cities. Can you tell me what the mechanism is?"

Ms. Sommers: "What we have done is provided for three percent of the tax which would be collected to be reimbursed to those units of local government which would be losing by virtue of taking the sales tax off food."

Mr. Owen: "That's three percent to all of them?"

Ms. Sommers: "Three percent of the income tax, and that covers the estimate of what they collect under the present circumstances."

Representatives Owen, Hansen and Fuller spoke in favor of the amendment, and Mr. Nelson (Dick) spoke against it.

Mr. Flanagan spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan, Amen and Hansen to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Erickson, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Knowles, Lee, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Thompson, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., North, O'Brien, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Valle, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Leckenby, Lysen, and Mr. Speaker.

Mr. Pardini moved adoption of the following amendment:

On page 2, following subsection (d) add a new subsection as follows:

"(e) Neither the state nor any subdivision thereof shall impose an ad valorem tax upon intangibles, including without limitation all moneys and credits, mortgages, notes, accounts, certificates of deposit, tax certificates, judgments, county and municipal bonds and warrants, and bonds and warrants of other taxing districts, bonds of the United States or of foreign countries or political subdivisions thereof and the bonds, stocks or shares of private corporations, private nongovernmental personal service contracts or private nongovernmental athletic or sports franchises or private nongovernmental athletic or sports agreements."

Mr. Pardini spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Pardini spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Pardini, since this particular type of information is in your field, would there not be considerable income from these things you mention in there in intangibles of various kinds—stocks, bonds, mortgages, notes, accounts, certificates of deposit, and various other things, that would be considered intangible—wouldn't there be considerable interest in that?"

Mr. Pardini: "Yes."

Mr. Hurley (George): "I heard of one lady in Michigan that made \$2 million with no tax in one year on her intangibles in her safety deposit box."

Mr. Pardini: "This amendment does not speak to the income from these items. The income from these items would, in fact, be subject to an income tax unless the bill we made reference to earlier hasn't been changed. It does include the income from these items. I'm not exempting the income."

Mr. Hurley (George): "How would we know what income would be available or what income is from some of these intangibles that are hidden away?"

Mr. Pardini: "I would suspect that we are using the federal income tax as a base for all of this, Representative Hurley, and I think the same rules would apply."

Mr. Hurley (George): "On the last three lines about personal service contracts or private nongovernmental athletic or sports franchises or private nongovernmental athletic or sports agreements—why are those included in your amendment?"

Mr. Pardini: "Representative Hurley, I am not excluding the income from any of these items by the amendment—I am not excluding the income from any of these items by the amendment. I am excluding the possibility of taxing the value. I think you will remember four years ago when they were trying to tax the supersonic contracts."

Mr. Ehlers spoke against the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 35; nays, 60; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Not voting: Representatives Leckenby, Lysen, and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Berentson and Taller:

On page 2, following subsection (d) add a new subsection as follows:

"(3) From and after the effective date of a state income tax imposed pursuant to this amendment, the legislature shall not increase or decrease the rate of such net income tax upon corporations or the rate of such net income tax upon individuals or the aggregate rate of state and local general sales or use tax, unless the rate of all other such taxes shall be increased or decreased proportionately."

Renumber the remaining subsections consecutively.

Mr. Tilly spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The Speaker reappeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tilly, Berentson and Taller to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 35; nays, 61; not voting, 2.

Voting yea: Representatives Amen, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Leckenby, Lysen.

The Speaker resumed the Chair.

Mr. Greengo moved adoption of the following amendment by Representatives Greengo, Lee, Pardini, Taller, Blair and Struthers:

On page 2, line 6 after "taxpayer," insert a new subsection as follows:

"(d) In the case of property, whether tangible or intangible, held by a taxpayer on the effective date of a state income tax act and disposed of after such effective date, such taxpayer shall be required to include in the computation of taxable income only the amount of any gain attributable to the increase in value of such property occurring after the effective date of such act."

Representatives Greengo, Blair and Bond spoke in favor of the amendment, and Representatives Sommers, Bauer, Charette, Ehlers and Knedlik spoke against it.

On motion of Mr. Bender, Representative Warnke was excused from the Call of the House.

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Sommers, did you read the operating statement for Weyerhaeuser Timber Company for 1976, or 1975, or any year previous to that, recognizing that these statements have to be audited by outstanding accounting firms, and determined that they realized 65% of their income from capital gains?"

Ms. Sommers: "Representative Flanagan, I'll answer your question this way: After I made that speech saying that the report to the stockholders showed that Weyerhaeuser's capital gains income in 1976 was 65%, I got a call from my staff telling me that they had sent me a memo that I apparently hadn't gotten, and that it was 95%. So I badly understated the windfall that they would get."

Mr. Pardini spoke in favor of the amendment, and Mr. Smith spoke against it.

Mr. Bender demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Greengo and others to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gaines, Gilleland, Greengo, Grier, Hansen, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Not voting: Representatives Leckenby, Lysen, Warnke.

On motion of Mr. Bender, Representative Conner was excused from the Call of the House.

Mr. Nelson (Dick) moved adoption of the following amendment by Representatives Nelson (Dick), Hurley (George) and Williams:

On page 2, line 26 strike "five and three-tenths" and insert "four and eight-tenths"

Mr. Nelson (Dick) spoke in favor of the amendment, and Ms. Sommers spoke against it.

#### MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, further consideration of Substitute House Joint Resolution No. 15 was deferred, and the resolution was ordered placed at the top of tomorrow's second reading calendar.

On motion of Mr. King, the House moved to immediately consider Substitute Senate Bill No. 3109.

#### SUBSTITUTE SENATE BILL NO. 3109:

The House resumed consideration of the bill on second reading.

#### MOTION FOR RECONSIDERATION

Mrs. McCormick, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Douthwaite to page 66 of the committee amendment had failed to pass the House.

#### POINT OF ORDER

Mr. Schmitt: "I believe that the amendment is out of order and to substantiate that I would like to refer the Speaker to Reed's Rule 204 and Reed's Rule 205 under the reconsideration and when permissible. I believe that subsequent action has taken place."

#### SPEAKER'S RULING

The Speaker: "There was not subsequent action in consequence of this amendment. Your point is not well taken."

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, May 12, 1977.

DEAN R. FOSTER, Chief Clerk.

JOHN BAGNARIOL, Speaker.

SIXTY-THIRD DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, May 12, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eng, Grimm, Haley, Hanna, Knedlik and Moreau, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karin Butler and Todd Schwartz. Prayer was offered by Reverend George 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.

MESSAGES FROM THE SENATE

May 11, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 294,  
ENGROSSED HOUSE BILL NO. 424,  
HOUSE BILL NO. 580,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 12, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2910,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SENATE AMENDMENTS TO HOUSE BILL

May 10, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 68 with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Section 31, chapter 290, Laws of 1953 and RCW 68.05.040 are each amended to read as follows:

A cemetery board is created to consist of ((five)) six members to be appointed by the governor ((within thirty days after June 11, 1953. The terms of the members first appointed shall expire: One, January 15, 1954; one, January 15, 1955; one, January 15, 1956; and two, January 15, 1957)). Immediately after the effective date of this 1977 amendatory act, all positions on the board shall become vacant, and the governor shall appoint two members to hold office for a period of one year, two to hold office for a period of two years, and two to hold office for a period of three years. Thereafter appointments shall be for a four year term or until the board is abolished, whichever occurs first.

Sec. 2. Section 32, chapter 290, Laws of 1953 and RCW 68.05.050 are each amended to read as follows:

Three members of the board shall be ((appointed-only-from)) persons who have had((-immediately preceding their appointment;)) a minimum of five ((consecutive)) years experience in this state in the active administrative management of a cemetery corporation or as a member of the board of directors thereof for this period ((and shall at the time of their appointment, have the actual and full authority of a president, general manager, or executive vice president, but they shall hold office only so long as they continue in such active, actual, and authoritative capacity. The five year consecutive period shall be exclusive of time spent in the armed services)). Two members of the board shall be persons who have legal, accounting, or other professional experience which relates to the duties of the board. The sixth member of the board shall represent the general public and shall not have a financial interest in the cemetery business.

Sec. 3. Section 40, chapter 290, Laws of 1953 as amended by section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180 are each amended to read as follows:

Each cemetery authority in charge of cemetery endowment care funds shall file with the board annually, on or before the thirtieth day of June, a written report in form prescribed by the board setting forth:

(1) The number of square feet of grave space and the number of crypts and niches sold or disposed of under endowment care:

(a) From June 12, 1943, to the first day of January of the year preceding the filing of this report.

(b) From the first day of January through the thirty-first day of December of the preceding year.

(2) The amount collected and deposited in both the general and special endowment care funds:

(a) Prior to June 12, 1943.

(b) From June 12, 1943, to the first day of January preceding the filing of this report.

(c) From the first day of January through the thirty-first day of December of the preceding year segregated as to the amounts deposited for crypts, niches, and grave space.

(3) A statement showing the total amount of the general and special endowment care funds invested in each of the investments authorized by law and the amount of cash on hand not invested, which statement shall show the actual financial condition of the funds.

(4) A statement showing the information required to be filed pursuant to RCW 68.46.090.

These reports shall be verified by the president or vice president (~~and~~), one other officer of the cemetery authority (~~and shall be certified by~~), the accountant or auditor preparing the same, and an accountant employed by the securities division of the department of licenses, chapter 21.20 RCW, in accordance with generally accepted auditing standards.

Sec. 4. Section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230 are each amended to read as follows:

Every cemetery authority shall pay for each cemetery operated by it, an annual regulatory charge to be fixed by the board, based on the number of interments, entombments, and inurnments made during the preceding full calendar year, but not exceeding (~~twenty-five~~) one hundred dollars for one hundred or less, (~~fifty~~) two hundred dollars for one hundred one to three hundred fifty, (~~seventy-five~~) three hundred dollars for three hundred fifty-one to seven hundred, (~~one~~) five hundred dollars for seven hundred one or more; plus an additional charge of not more than (~~fifty cents~~) one dollar per interment, entombment, and inurnment made during the preceding full calendar year, which charges shall be deposited in the cemetery account. Upon payment of said charges and compliance with the provisions of Title 68 RCW and the lawful orders, rules, and regulations of the board, the board will issue a certificate of authority.

Sec. 5. Section 9, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.090 are each amended to read as follows:

Any cemetery authority selling prearrangement merchandise or other prearrangement services shall file in its office or offices and with the cemetery board a written report upon forms prepared by the cemetery board which shall state the amount of the principle of the prearrangement trust fund or funds, the depository of such fund or funds, and cash on hand which is or may be due to such fund as well as such other information the board may deem appropriate. All information appearing on such written reports shall be revised at least annually and shall be verified by the president, (~~and~~) the secretary or auditor preparing the same, and an accountant employed by the securities division of the department of licenses, chapter 21.20 RCW, in accordance with generally accepted auditing standards.

**NEW SECTION.** Sec. 6. There is added to chapter 68.46 RCW a new section to read as follows:

The provisions of this chapter do not apply to any of the following: Any religious corporation, church, coroner, religious society or denomination, a corporation sole administering temporalities of any church or religious society or denomination, or any cemetery organized, controlled, and operated by any of them, any county, town, or city cemetery.

**NEW SECTION.** Sec. 7. If any provision of this 1977 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 the title, strike everything after "AN ACT" and insert "Relating to cemeteries; amending section 31, chapter 290, Laws of 1953 and RCW 68.05.040; amending section 32, chapter 290, Laws of 1953 and RCW 68.05.050; amending section 40, chapter 290, Laws of 1953 as amended by section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180; amending section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230; amending section 9, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.090; and adding a new section to chapter 68.46 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Ehlers, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 68, and asked the Senate to recede therefrom.

#### SENATE AMENDMENT TO HOUSE BILL

May 9, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 657 with the following amendment:



On page 1, line 10 after "follows:" strike all the material down through "governor" on line 11 and insert "~~((The insurance commissioner, the attorney general, the state treasurer, the state auditor))~~ Four members of the public appointed by the governor with the advice and consent of the senate" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendment to House Bill No. 657.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 657 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 657 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 1; not voting, 21.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Lee.

Not voting: Representatives Bauer, Deccio, Dunlap, Enbody, Eng, Flanagan, Grimm, Gruger, Haley, Hanna, Hansen, Hurley G. S., Knedlik, Leckenby, Lux, Lysen, Moreau, Oliver, Shinoda, Whiteside, Winsley.

House Bill No. 657 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.

### INTRODUCTION AND FIRST READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2910**, by Committee on Energy and Utilities (Originally sponsored by Senators Bottiger, Bailey, Rasmussen, Beck, Lewis, Hayner, Sellar and Benitz - by Governor Ray request):

Revising statutes relating to energy facility site selection.

To Committee on Energy and Utilities

### REPORTS OF STANDING COMMITTEES

May 11, 1977

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2952**, Prime Sponsor: Senator Gould, implementing student learning objectives program. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, after line 34 add a new section as follows:

**\*NEW SECTION.** Sec. 3. There is hereby appropriated to the superintendent of public instruction from the general fund for the biennium ending June 30, 1979, the sum of three hundred fifteen thousand dollars, or so much thereof as may be necessary, to carry out the purposes and intent of this amendatory act."

Renumber the remaining section consecutively.

On page 1, line 4 of the title after "RCW" insert "; and making an appropriation"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Barnes, Ranking Minority Member; Bender, Dunlap, Fuller, Schmitt, Valle, Whiteside.

To Committee on Rules for second reading.

May 10, 1977

**SENATE JOINT RESOLUTION NO. 108**, Prime Sponsor: Senator Pullen, amending the Constitution to permit legislators to hold a civil office notwithstanding that he served in a legislature which increased the emoluments thereof so long as the emoluments he receives are at the level designated prior to the increase. Reported by Committee on Constitution.

MAJORITY recommendation: Do pass and the amendment by the Elections and Governmental Ethics Committee be adopted. Signed by Representatives Fortson, Chairwoman; Gruger, Vice Chairwoman; Oliver, Ranking Minority Member; Sommers.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, as amended by the House, by Committee on Constitution and Elections (Originally sponsored by Senators Beck and North):

Establishing procedures for organization of minor political parties.

The bill was read the third time and placed on final passage.

Mr. Hawkins 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. 2032 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 28; not voting, 12.

Voting yea: Representatives Adams, Barnes, Bauer, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Douthwaite, Enbody, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Valle, Vrooman, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Berentson, Bond, Charete, Conner, Craswell, Dunlap, Ehlers, Fancher, Flanagan, Gallagher, Hurley M., Lysen, Newhouse, Paris, Patterson, Pearsall, Polk, Schmitt, Shinoda, Struthers, Thompson, Tilly, Walk, Williams, Zimmerman.

Not voting: Representatives Deccio, Eng, Grimm, Haley, Hanna, Knedlik, Leckenby, Lux, Moreau, Oliver, Salatino, Winsley.

Engrossed Substitute Senate Bill No. 2032 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. 2159, by Senators Woody, Clarke, Day, Sellar and Hayner:

Permitting a counterclaim for malicious prosecution in the principal action.

#### MOTION

Mr. Bender moved that further consideration of Engrossed Senate Bill No. 2159 be deferred, and that the bill be placed on the third reading calendar for tomorrow.

Mr. Knowles spoke in favor of the motion, and Mr. Newhouse spoke against it.

The motion was carried.

#### MOTION

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

#### SECOND READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 15, by Committee on Revenue (Originally sponsored by Representatives O'Brien, Lux, North and Sommers):

Authorizing state income tax with limitations upon tax structure.

The House resumed consideration of the resolution on second reading. (For previous action, see Journal, 62nd Day ex. sess., May 11, 1977.)

Mr. Bender 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 Eng, Grimm, Haley, Knedlik, Moreau and Oliver.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the following amendment by Representatives Nelson (Dick), Hurley (George) and Williams:

On page 2, line 26 strike "five and three-tenths" and insert "four and eight-tenths"

Representatives Nelson (Dick), Williams, Zimmerman, Hurley (George) and Tilly spoke in favor of the amendment, and Representatives Sommers, Kilbury and Erickson spoke against it.

Mr. Nelson (Dick) spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson (Dick), Hurley (George) and Williams to Substitute House Joint Resolution No. 15, and the amendment was adopted by the following vote: Yeas, 53; nays, 39; not voting, 6.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Blair, Boldt, Bond, Burns, Chandler, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Flanagan, Fuller, Gaines, Gilleland, Greengo, Heck, Hughes, Hurley G. S., Hurley M., Keller, Leckenby, Lee, Lux, Maxie, McKibbin, Nelson D., Nelson G. A., Newhouse, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitter, Shinoda, Struthers, Taller, Tilly, Valle, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Becker, Bender, Charette, Charnley, Clemente, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Kilbury, King, Knowles, Kreidler, Lysen, Martinis, May, McCormick, North, O'Brien, Pearsall, Sherman, Shipoch, Smith, Sommers, Thompson, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives Eng, Grimm, Haley, Knedlik, Moreau, Oliver.

Mr. Dunlap moved adoption of the following amendment by Representatives Dunlap and Taller:

On page 3, line 7 after "12" insert " PROVIDED, That in the case of individuals such tax shall be determined by the application of the tax rate against adjusted gross income as defined in section 62 of the Internal Revenue Code: PROVIDED FURTHER, That in the case of corporations, and estates and trusts, such tax shall be determined by the application of the tax rate against federal taxable income, as defined herein, adjusted only as provided for herein. For purposes of this paragraph, federal taxable income shall mean 'taxable income' as defined in section 63 of the Internal Revenue Code: PROVIDED FURTHER, That in the case of regulated investment companies subject to the tax imposed by section 352 of the Internal Revenue Code, real estate investment trusts subject to the tax imposed by section 857 of the Internal Revenue Code, and cooperatives whose taxable income is determined in accordance with the provisions of sections 1381 through 1388 of the Internal Revenue Code, 'federal taxable income' shall mean that income subject to tax under the provisions of the Internal Revenue Code referred to herein. In the case of domestic international sales corporations whose taxability is determined pursuant to sections 991 through 994 of the Internal Revenue Code, and small business corporations whose taxability is determined pursuant to sections 1371 through 1379 of the Internal Revenue Code, the taxability of corporate income shall be determined in the same fashion as for federal income tax purposes"

Representatives Dunlap and Taller spoke in favor of the amendment, and Representatives Sommers and Charnley spoke against it.

Mr. Oliver appeared at the bar of the House.

## POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Hawkins.

Mr. Hawkins: "Representative Taller, when you refer to state people, are you referring to your people or my people?"

Mr. Taller: "I am referring to both because I believe I'm speaking for the majority of the taxpayers in the state. They have shown on previous occasions they do not trust our proposals for an income tax proposal. They have voted it down in every case and I think it's time we recognize that and move ahead and put something out there that they will vote for."

Mr. Bond spoke in favor of the amendment, and Ms. Sommers spoke against it.

## POINT OF ORDER

Mr. Taller: "Representative Sommers is speaking twice and she is not the maker of the amendment."

The Speaker (Mr. O'Brien presiding): "It appears that your point is well taken, Representative Taller—to a degree. Representative Sommers, according to our rules you would be precluded from speaking on the amendment at this time."

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Sommers, I'm somewhat confused on the lengthy debate—

## POINT OF ORDER

Mr. Berentson: "I would like to point out that yesterday in the same procedure you ruled out of order allowing a second speech by posing a question to one of our members. I think as Speaker you should be consistent in that ruling."

## MOTION

Mr. Bender moved that Representative Sommers be allowed an additional three minutes to speak to the question.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (Gary): "Is this a suspension of the rules that would take two-thirds vote of the body?"

The Speaker (Mr. O'Brien presiding): "No, Rule 51 reads in part, ' . . . provided further no member shall speak more than three minutes without the consent of the House.' So the consent of the House would be by majority vote."

The motion was carried.

Ms. Sommers spoke again in opposition to the amendment, and Mr. Dunlap spoke again in favor of it.

## POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Amen.

Mr. Amen: "Representative Taller, Representative Sommers just mentioned about losing \$2500 exemption—I believe she spoke about the individual exemption. Your amendment, as I see it, would only be on corporations, estates and trusts. Is that right? Is what Representative Sommers told us right?"

Mr. Taller: "It is my understanding that it would not be right. After you make your adjustment for the adjusted gross income I think you could take these other things into account. I believe Representative Nelson is really a better expert on that. It is my understanding that you really take the individual exemptions after adjusted gross income."

## POINT OF INQUIRY

Mr. Nelson (Gary) yielded to question by Mr. Amen.

Mr. Amen: "Representative Nelson, Representative Sommers commented about losing \$2500 depreciation or \$2500. As I read it, this amendment only concerns corporations, estates and trusts."

Mr. Nelson (Gary): "The Dunlap/Taller amendment, as I understand it, has been revised. Essentially the credit or deductions can be taken care of on page 2, lines 31 and 32. Regarding deductions we, as a legislature, would be able to give credit."

Mr. Kilbury spoke against the amendment, and Mr. Barnes spoke in favor of it.

Mr. Bender demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Dunlap and Taller to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 31; nays, 62; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Grimm, Haley, Knedlik, Moreau.

Mr. Fuller moved adoption of the following amendment:

On page 3, after subsection (d) add a new subsection as follows:

"(e) Provide for reductions in property taxes pursuant to the Constitution: PROVIDED, That the timber excise tax, paid in lieu of property taxes, shall be reduced to correspond with those reductions in property taxes resulting from the imposition of an income tax."

Mr. Fuller spoke in favor of the amendment, and Representatives Sommers, Kilbury and Lux spoke against it.

Mr. Grimm appeared at the bar of the House.

Mr. Fuller spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuller to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 35; nays, 59; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Conner, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Eng, Haley, Knedlik, Moreau.

Mr. Bond moved adoption of the following amendment by Representatives Bond, Lee, Amen and Fancher:

On page 3, following subsection (d) add a new subsection as follows:

"(4) Notwithstanding any other provisions of this Constitution, from and after December 31, 1979, business inventories held for sale shall be exempt from ad valorem taxes."

## MOTION

On motion of Mr. King, Representative Pearsall was excused from the Call of the House.

Representatives Bond, Polk and Amen spoke in favor of the amendment, and Representatives Sommers and Kilbury spoke against it.

Mr. Bond spoke again in favor of the amendment, and Mr. Warnke spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond and others to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 34; nays, 59; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King,

Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Eng, Haley, Knedlik, Moreau, Pearsall.

Representative Pearsall appeared at the bar of the House.

Mr. Sanders moved adoption of the following amendment:

On page 3, after subsection (3) insert a new subsection as follows:

"(4) Notwithstanding any other provision of this Constitution, no person age 65 or older shall be required to pay or be assessed any income tax authorized by this amendment."

Mr. Sanders spoke in favor of the amendment, and Representatives Sommers, Leckenby and Fortson spoke against it.

Mr. Sanders spoke again in favor of the amendment, and Mr. Hurley (George) spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 19; nays, 75; not voting, 4.

Voting yea: Representatives Barnes, Berentson, Bond, Craswell, Deccio, Dunlap, Fischer, Fuller, Gilleland, Lee, Nelson G. A., Oliver, Paris, Polk, Sanders, Schmitt, Shinoda, Tilly, Whiteside.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Flanagan, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Haley, Knedlik, Moreau.

Mr. Hawkins moved adoption of the following amendment by Representatives Hawkins, Nelson (Dick) and Blair:

On page 3, following line 7 insert a new subsection (4) as follows:

"(4) At a general election to be held in this state in November, 1984, there shall be submitted to the qualified voters a proposition to repeal this amendment to Article VII, and if such proposition is approved, this amendment shall be repealed effective January 1, 1987, and not earlier."

Mr. Hawkins spoke in favor of the amendment, and Ms. Sommers spoke against it.

The amendment was not adopted.

Mr. Nelson (Dick) moved adoption of the following amendment:

On page 3, following line 7 add a new subsection as follows:

"(4) A proposition to adjust the rate limitations contained in subsections 1(a) and (b) of this section shall be submitted to the qualified voters of this state at the general election to be held in November, 1983. Such proposition shall be prepared and placed upon the ballot by the secretary of state and shall read as follows:

Shall Article VII, Section 12(1) of the state Constitution be changed to authorize a state graduated net income tax with a maximum rate on individuals of not more than 6% and a maximum rate on corporations of not more than 10%?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

If a majority of the qualified voters voting upon the proposition approve the proposition, the limitations in subsections 1(a) and (b) of this section shall be so adjusted. If the proposition is not approved, such limitations shall continue in effect."

Mr. Nelson (Dick) spoke in favor of the amendment, and Mr. Paris spoke against it.

Mr. Nelson (Dick) spoke again in favor of the amendment.

Mr. Tilly demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (Dick) to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 32; nays, 62; not voting, 4.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Ehlers, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Kilbury, Lee, Lux, Lysen,

Maxie, Nelson D., O'Brien, Pruitt, Sherman, Shipoch, Sommers, Thompson, Vrooman, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Clemente, Craswell, Deccio, Dunlap, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Hansen, Heck, Hurley M., Keller, King, Knowles, Kreidler, Leckenby, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Tilly, Valle, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Eng, Haley, Knedlik, Moreau.

Representative Enbody was excused from the Call of the House.

Representative Craswell moved adoption of the following amendment by Representatives Craswell, Lee, Haley, Bond, Paris, Fancher, Berentson, Sanders, Barr and Oliver:

On page 3, line 10 after "Constitution" insert ": PROVIDED, That the provisions of this amendment shall not become effective unless House Joint Resolution No. 35 receives favorable voter approval on the same ballot"

Representatives Craswell and Nelson (Gary) spoke in favor of the amendment, and Representatives Hurley (George) and Sommers spoke against it.

Representative Craswell spoke again in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Craswell and others to Substitute House Joint Resolution No. 15, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Heck, Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Enbody, Eng, Haley, Knedlik, Moreau.

Representative Nelson (Gary) moved adoption of the following amendment by Representatives Nelson (Gary), Taller, Schmitten, Fuller, Fancher, Struthers, Clayton, Barr, Tilly, Wilson and Flanagan:

On page 1, line 23 strike everything down to and including "state" on page 3, line 20 and insert: "Article VII, Section 12.

(1) Income shall not be deemed property within the meaning of this Article, and a tax imposed upon income shall not be deemed a tax on property.

(2) Notwithstanding any other provision of this Constitution, the legislature may by law impose a tax upon net income in accordance with the following conditions:

(a) In the case of corporations, any such tax shall be imposed at a single, flat rate set by the legislature, and in the case of other taxpayers including individuals and trusts and estates, any such tax shall be imposed at a single, flat rate set by the legislature, which rate may differ from the corporate rate.

(b) In the case of corporations, and estates and trusts, such tax shall be determined by the application of the tax rate against federal taxable income, as defined herein, adjusted only as provided for. For purposes of this paragraph, federal taxable income shall mean 'taxable income' as defined in Section 63 of the Internal Revenue Code: PROVIDED, That in the case of regulated investment companies subject to the tax imposed by Section 852 of the Internal Revenue Code, real estate investment trusts subject to the tax imposed by Section 857 of the Internal Revenue Code, and cooperatives whose taxable income is determined in accordance with the provisions of Sections 1381 through 1388 of the Internal Revenue Code, 'federal taxable income' shall mean that income subject to tax under the provisions of the Internal Revenue Code referred to herein. In the case of domestic international sales corporations whose taxability is determined pursuant to Sections 991 through 994 of the Internal Revenue Code, and small business corporations whose taxability is determined pursuant to Sections 1371 through 1379 of the Internal Revenue Code, the taxability of corporate income shall be determined in the same fashion as for federal income tax purposes.

(c) In the case of persons other than corporations and estates and trusts, (i) the tax shall be determined by the application of the tax rate against taxable income as defined in the Internal Revenue Code, adjusted only as provided for herein, and reduced by an amount not in excess of \$2,500, as provided by the legislature; and (ii) a credit against liability for any tax imposed pursuant to this section shall be allowed in the amount of \$30.00 multiplied by the number of exemptions which would be allowed to the taxpayer for the same taxable year under the Internal Revenue Code.

(d) In the case of property, whether tangible or intangible, held by a taxpayer on the effective date of a state income tax act and disposed of after such effective date, such taxpayer shall be required to include in the computation of taxable income only the amount of any gain attributable to the increase in value of such property occurring after the effective date of such act.

(e) In the first legislation imposing a net income tax permitted by this amendment, the rate of tax imposed upon individuals shall not exceed four percent and the rate of tax imposed upon corporations shall not exceed eight percent.

(f) In the case of a taxpayer deriving income both within and without this state, the taxable income of such taxpayer shall be allocated or apportioned according to formulas provided for by the legislature.

(g) A corporation which is a member of an affiliated group of corporations within the definition of Section 1504 of the Internal Revenue Code, shall be entitled at its election to file a consolidated return with other members of the affiliated group for purposes of any tax imposed pursuant to this amendment, provided that all such members subject to a tax imposed pursuant to this amendment shall make consistent elections, and that an election to file a consolidated return shall not be revokable by such corporation without the consent of the department of revenue, and no corporation shall otherwise be precluded from filing a separate return.

(h) The legislature shall have no authority to impose an income tax upon insurers subject to a premiums tax such as imposed by RCW Ch. 48.14, as in effect December 31, 1976, and the maximum amount of any such premium tax shall be two percent of taxable premiums.

(i) No political subdivision of this state shall have the power to impose a tax upon or measured by net income.

(j) The legislature shall by law:

(i) Provide for direct payments to a taxpayer to the extent that insufficient income tax liability exists for full application of an otherwise applicable credit, where such credit is granted for the purpose of providing direct or indirect relief from other state or local taxes.

(ii) Coordinate the administration and collection of state income taxes with the income tax laws, interpretations and procedures of the United States.

(k) For purposes of this section, the term 'corporation' means, in addition to an incorporated entity, a financial institution and an association, trust or any unincorporated organization which is defined as a corporation in the Internal Revenue Code.

(l) For purposes of this section, the Internal Revenue Code shall mean the federal Internal Revenue Code of 1954, as amended by laws enacted prior to January 1, 1977, together with regulations promulgated at any time with respect to such code as enacted prior to January 1, 1977: PROVIDED, That the legislature may by law make applicable any successor or amendatory provisions in the Internal Revenue Code enacted into law after December 31, 1976, together with regulations promulgated thereunder.

(3) Notwithstanding any other provision of this Constitution, after a date twelve months following the effective date of a state income tax act, and during the period such act is in effect:

(a) No school district in any year shall, for maintenance and operation purposes, impose or collect upon property pursuant to the provisions of paragraph (a) of section 2, as now or hereafter amended, of this Article VII, in excess of ten percent of the maintenance and operation budget of said school district for the fiscal year immediately preceding; and

(b) The aggregate of all special tax levies for maintenance and operation purposes imposed in any year upon any real and personal property by the state and all taxing districts now existing or hereafter created, including cities and counties, shall not exceed one-half percent of the true and fair value of such property and, should such one-half percent limit be exceeded in any year, the total tax burden on such property attributable to special tax levies shall be reduced to one-half percent of the true and fair value of such property, and the revenues therefrom apportioned to taxing entities levying such special levies according to procedures established by the legislature.

As used in this section, the phrase maintenance and operations purposes refers to expenditures for current operations funded through annual appropriations and does not include capital projects, payment of principal and interest on bonds issued to pay for capital projects or payments ordered by a court of last resort for the purposes of preventing the impairment of the obligation of a contract, and the phrase special tax levies refers to property tax levies which pursuant to section 2 of this Article VII require voter approval.

(c) No city, county or other subdivision of the state shall impose a general business and occupation tax in excess of the greater of two-tenths of one percent of the tax base, or the rate of tax in effect as of December 31, 1976, or a public utility tax in excess of the greater of seven percent of the tax base, or the rate of tax in effect as of December 31, 1976.

(d) Neither the state nor any subdivision thereof shall impose an ad valorem tax upon intangibles, including without limitation all moneys and credits, mortgages, notes, accounts, certificates of deposit, tax certificates, judgments, county and municipal bonds and warrants, and bonds and warrants of other taxing districts, bonds of the United States or of foreign countries or political subdivisions thereof and the bonds, stocks or shares of private corporations, private nongovernmental personal service contracts or private nongovernmental athletic or sports franchises or private nongovernmental athletic or sports agreements.

(e) The rate of business and occupation tax imposed by the state for the act or privilege of engaging in any class of business activities shall not exceed one-half the rate of business and occupation tax imposed upon such business activities on December 31, 1976.



(f) Unless the limitations of subsection (g) hereof be satisfied, the aggregate rate of any general retail sales or use taxes imposed by the state and political subdivisions thereof shall not exceed four and one-half percent.

(g) From and after the effective date of a state income tax imposed pursuant to this amendment, the legislature shall not increase or decrease the rate of such net income tax upon corporations or the rate of such net income tax upon individuals or the aggregate rate of state and local general sales or use tax, unless the rate of all other such taxes shall be increased or decreased proportionately.

(4) Notwithstanding any other provisions of this Constitution, from and after December 31, 1979, business inventories held for sale shall be exempt from ad valorem taxes.

BE IT RESOLVED FURTHER, That the foregoing amendment shall be construed as a single amendment within the meaning of Article XXIII, Section 1 (Amendment 27) of this Constitution.

The legislature finds that the changes contained in the foregoing amendment constitute a single integrated plan for a balanced revision of the tax structure for state and local government. In the event the foregoing amendment if finally held to be separate amendments, this joint resolution shall be void in its entirety and shall be of no further force and effect.

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 at which this measure is voted upon in every legal newspaper in the state."

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

On page 3 of the amendment after subsection (g) insert a new subsection as follows:

"(h) The aggregate rate of any general sales and use tax imposed by the state, political subdivisions thereof, and any taxing district shall not exceed four and eight-tenths percent."

Representatives Nelson (Gary), Greengo, Taller, Flanagan and Struthers spoke in favor of the amendment as amended, and Representatives Sommers and Kilbury spoke against it.

Mr. Nelson (Gary) spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (Gary) and others as amended to Substitute House Joint Resolution No. 15, and the amended amendment was not adopted by the following vote: Yeas, 35; nays, 58; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Hansen, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erak, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Enbody, Eng, Haley, Knedlik, Moreau.

#### MOTION

On motion of Mr. King, the House dispensed with further business under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

Mr. Amen 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 Hanna and Lee.

On motion of Mr. King, the absent members were excused and the House proceeded with business under the Call of the House.

Substitute House Joint Resolution No. 15 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Joint Resolution No. 15 was placed on final passage.

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

Representatives Sommers, Kilbury, Hurley (George), Charnley and Knowles spoke in favor of the resolution, and Representatives Nelson (Gary), Flanagan, Zimmerman and Berentson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 15, and the resolution failed to pass the House by the following vote: Yeas, 53; nays, 43; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Erak, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Keller, Leckenby, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittens, Shinoda, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Hanna, Lee.

Engrossed Substitute House Joint Resolution No. 15, having failed to receive the constitutional two-thirds majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Representative Sommers, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Joint Resolution No. 15 failed to pass the House.

The motion carried.

On motion of Mr. King, further consideration of Engrossed Substitute House Joint Resolution No. 15 was deferred, and the resolution was ordered held for the top of tomorrow's third reading calendar.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative Hanna appeared at the bar of the House.

#### MOTION

On motion of Mr. King, Representative Williams was excused from the Call of the House.

On motion of Mr. Pardini, Representative Greengo was excused from the Call of the House.

**SUBSTITUTE SENATE BILL NO. 3109**, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander – by Governor Ray request):

Adopting the 1977–79 operating budget.

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the motion by Representative McCormick that the House reconsider the vote by which the amendment by Representative Douthwaite to page 66 of the committee amendment failed to pass the House.

#### POINT OF ORDER

Mr. Newhouse: "Under House Rule No. 70, the restrictions on reconsideration of amendments being more stringent than those on final passage, I would interpret that the motion must be acted upon on the day in which the original vote was taken. We do not go back to Reed's Rules because House rules prevail if they treat the subject."

#### SPEAKER'S RULING

The Speaker: "That rule reads, 'An affirmative or negative vote on the final passage of bills . . .' We were not on the final passage of a bill, we were on an amendment. Therefore, your point is not well taken."

Mr. Newhouse: "Mr. Speaker, the proviso does not refer to final passage only and it would apply to all reconsiderations. The proviso says that on or after the fiftieth day reconsideration can only be had on the date the vote to be reconsidered was taken."

The Speaker: "It references final passage; it does not reference amendments. The Speaker is ruling that on an amendment reconsideration can be acted upon."

Mr. Newhouse: "Mr. Speaker, this is the only place in the rules of the House that refers to reconsiderations and that proviso would also apply to amendments."

The Speaker: "The sentence that it limits deals with final passage. That's the Speaker's ruling."

Representative Douthwaite spoke in favor of the motion to reconsider the amendment, and Representatives McKibbin and Schmittin spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Douthwaite amendment to page 66 of the committee amendment to Substitute Senate Bill No. 3109 was not adopted, and the motion failed by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Adams, Barnes, Bender, Blair, Burns, Charette, Charnley, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gallagher, Grimm, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Leckenby, Lux, Lysen, Martinis, Maxie, Moreau, Nelson D., Nelson G. A., O'Brien, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Sommers, Taller, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Berentson, Boldt, Bond, Chandler, Clayton, Clemente, Craswell, Deccio, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley M., Knowles, Kreidler, May, McCormick, McKibbin, Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Schmittin, Shinoda, Shipoch, Smith, Struthers, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Greengo, Lee, Williams.

#### MOTION

On motion of Mr. King, the House placed House Bill No. 1009 on the second reading calendar for immediate consideration.

HOUSE BILL NO. 1009, by Representative Sommers:

Pertaining to revenue and taxation.

On motion of Ms. Sommers, Substitute House Bill No. 1009 was substituted for House Bill No. 1009, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1009 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1009 was placed on final passage.

Representatives Sommers, Bauer and Knedlik spoke in favor of passage of the bill, and Representatives Nelson (Gary) and Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1009, and the bill failed to pass the House by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, McCormick, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bender, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Erak, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Gruger, Haley, Hughes, Hurley M., Leckenby, Lux, Martinis, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Salatino, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Greengo, Lee, Williams.

Substitute House Bill No. 1009, having failed to receive the constitutional majority, was declared lost.

## MOTION FOR RECONSIDERATION

Representative Erak, having voted on the prevailing side, moved that the House reconsider the vote by which Substitute House Bill No. 1009 failed to pass the House.

The motion was carried.

## MOTIONS

On motion of Mr. King, further consideration of Substitute House Bill No. 1009 was deferred, and the bill was ordered held for tomorrow's third reading calendar.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:30 a.m., Friday, May 13, 1977.

DEAN R. FOSTER, Chief Clerk.

JOHN BAGNARIOL, Speaker.

SIXTY-FOURTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Friday, May 13, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Dunlap, Eng, Erak, Kilbury, Lysen, Pearsall and Shinoda, who were excused.

Mr. Grier 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 Dunlap, Eng, Erak, Kilbury, Lysen, Pearsall and Shinoda.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Linda Beyers and Mark Warman. Prayer was offered by Reverend George 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.

MESSAGES FROM THE SENATE

May 12, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 816,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 12, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 335,  
SUBSTITUTE HOUSE BILL NO. 839,  
ENGROSSED HOUSE BILL NO. 878,  
HOUSE BILL NO. 879,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 12, 1977

Mr. Speaker:

The Senate has passed:

SENATE JOINT MEMORIAL NO. 110,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 12, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2108, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 12, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2122, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

May 12, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 104 with the following amendments:

On page 2, line 30 after "section" insert "or for purposes of membership or qualification in any state, local government or publicly supported retirement system other than that provided under RCW 41.24"

On page 2, line 33, after "services" insert ": PROVIDED, That such voluntary services and any compensation therefor shall not affect or add to qualification, entitlement or benefit rights under any state, local government or publicly supported retirement system other than that provided under RCW 41.24"

On page 4, line 1 after "services" insert "or for purposes of granting, affecting or adding to any qualification, entitlement or benefit rights under any state, local government or publicly supported retirement system other than that provided under RCW 41.24"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. King, the House concurred in the Senate amendments to Engrossed House Bill No. 104.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 104 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 104 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Eng, Erak, Kilbury, Lysen, Pearsall, Shinoda.

Engrossed House Bill No. 104 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 9, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 445 with the following amendments:

On line 1 of the title after "domain;" and before "amending" strike "and" and on line 2 of the title after "RCW 8.25.075" and before the period insert "; and declaring an emergency"

On page 2, add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Knowles, the House concurred in the Senate amendments to Engrossed House Bill No. 445.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 445 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 445 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Eng, Erak, Kilbury, Lysen, Pearsall, Shinoda.

Engrossed House Bill No. 445 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.

Representative Eng appeared at the bar of the House.

## SENATE AMENDMENT TO HOUSE BILL

May 11, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 495 with the following amendment:

On page 1, beginning on line 7 strike all of section 1 and renumber the remaining section consecutively, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Lux, the House concurred in the Senate amendment to Engrossed House Bill No. 495.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 495 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 495 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Valle.

Not voting: Representatives Dunlap, Erak, Kilbury, Lysen, Pearsall, Shinoda.

Engrossed House Bill No. 495 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 12, 1977

**Mr. Speaker:**

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 27** with the following amendments:

On page 1, line 26 after "profit" strike "and" and insert a comma

On page 1, line 27 after "businesses" and before the period insert "and which has fifty or fewer employees" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

**MOTION**

On motion of Mr. Warnke, the House concurred in the Senate amendments to Substitute House Bill No. 27.

**FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE**

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 27 as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 27 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Erak, Kilbury, Lysen, Pearsall, Shinoda.

**MESSAGE FROM THE GOVERNOR**

May 12, 1977

**TO THE HONORABLE,  
THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:**

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation, or pardon which has been granted since the adjournment of the Forty-fifth Regular Session of the Legislature.

On the 31st day of March, 1967, Anthony Takahashi was sentenced by the Superior Court for the State of Washington, in and for the County of King, to a term of life imprisonment for the crime of Murder in the First Degree. Mr. Takahashi has been continuously confined, since April 5, 1967, within a Washington State Adult Corrections Facility in the excess of nine years where his conduct and record have been exemplary. Because of the statutory minimum sentence provided in RCW Chapter 9.95, substantial additional incarceration will be required before he will be eligible for parole pursuant to the authority of the Board of Prison Terms and Paroles.

Petitions and letters have been received on behalf of Anthony Takahashi urging that his life sentence now be commuted so that he will be eligible for parole on the grounds that Anthony Takahashi is clearly able to assume a responsible role in society, is demonstrably rehabilitated and will not constitute a threat to other persons and will not be benefited by "further incarceration;" that Anthony Takahashi has developed, while at Monroe Reformatory, a skill as a trained water pollution control plant operator and has the opportunity for employment in this field, and the Board of Prison Terms and Paroles has recommended, as amended, to the Governor that the life sentence of Anthony Takahashi be commuted.

All information available to me with respect to Anthony Takahashi has been carefully reviewed and the recommendations of public officers who are knowledgeable of his present circumstances have been considered. I have concluded that further incarceration of Anthony



Takahashi is not in the best interests of society or of himself, that he is demonstrably rehabilitated, that he will be able to fill a responsible role in the community and will not be threat to other persons.

On March 30, 1977, a commutation order was signed to commute the life sentence of Anthony Takahashi and authorize the Washington State Board of Prison Terms and Paroles to parole Anthony Takahashi subject to the complete control, supervision, and authority of said Board, which authority would include any and all action deemed appropriate by the Board including the authority to revoke the parole and return Anthony Takahashi to imprisonment.

Respectfully submitted,  
DIXY LEE RAY, Governor.

#### INTRODUCTION AND FIRST READING

SENATE JOINT MEMORIAL NO. 110, by Senators Bottiger, Morrison, Gaspard, Benitz, Sellar, Washington, Matson and Walgren (by Executive request of Governor Ray):

Requesting that the federal government accept retroactive applications for drought relief grants.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Joint Memorial No. 110 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 110 was placed on final passage.

Mr. Newhouse spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 110, and the memorial passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hawkins.

Not voting: Representatives Dunlap, Erak, Kilbury, Lysen, Pearsall, Shinoda.

Senate Joint Memorial No. 110, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Bender, Senate Joint Memorial No. 110 was ordered transmitted immediately to the Senate.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2241, by Senators Day, von Reichbauer and Herr:

Permitting the use of laetrile.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day ex. sess., April 25, 1977.)

On motion of Mr. Adams, the committee amendment was adopted.

Engrossed Senate Bill No. 2241 as amended by the House was passed to Committee on Rules for third reading.

Representatives Dunlap, Lysen and Shinoda appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 2210, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Wilson):

Regulating prearrangement funeral service contracts.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 49th Day ex. sess., April 28, 1977.)

On motion of Mr. Eng, the committee amendments were adopted.

Substitute Senate Bill No. 2210 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2451, by Senators Rasmussen, Marsh and Morrison:  
Allowing for a longer appeal period from actions of county boards of equalization.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2069, by Senators Goltz, Morrison, Fleming, Ridder, Sandison and North:

Establishing a youth service corps to promote youth employment and service to local communities.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 46th Day ex. sess., April 25, 1977.)

Mr. Shinpoch moved adoption of the committee amendments.

#### MOTION

On motion of Mr. Bender, further consideration of Engrossed Senate Bill No. 2069 was deferred, and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 2435.

ENGROSSED SENATE BILL NO. 2273, by Senators Sandison and Donohue:

Providing for tuition and fees for students participating in a joint program conducted by two or more institutions of higher education.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 26th Day ex. sess., April 5, 1977.)

On motion of Ms. Erickson, the committee amendment was adopted.

Engrossed Senate Bill No. 2273 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2489, by Committee on Local Government (Originally sponsored by Senators Washington and Sellar):

Revising the procedures by which a PUD may contract for certain purchases.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2419, by Senators Woody, Clarke, Francis and Herr:

Excluding law enforcement officers from the prohibition on recording private communications.

The bill was read the second time.

#### MOTION

On motion of Mr. Bender, further consideration of Engrossed Senate Bill No. 2419 was deferred, and the bill was ordered placed on the calendar following Engrossed Senate Bill No. 2069.

ENGROSSED SENATE BILL NO. 2310, by Senators Rasmussen and Buffington:

Making various changes in the law on the state committee on salaries.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day ex. sess., April 22, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

Engrossed Senate Bill No. 2310 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2399, by Committee on State Government (Originally sponsored by Senators Bausch, Pullen and Rasmussen):

Making the day before a legal holiday which falls on Saturday a holiday.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2924, by Committee on Transportation (Originally sponsored by Senators Henry, Beck, Bottiger, Peterson, Keefe, Sellar, Wanamaker and Talley):

Creating a department of transportation.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Charnley, the committee amendments were adopted.

Engrossed Substitute Senate Bill No. 2924 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2435, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Scott and Sandison):

Providing for disposition of operating fees charged at institutions of higher education.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 32nd Day ex. sess., April 11, 1977.)

On motion of Ms. Erickson, the committee amendment was adopted.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 60th Day ex. sess., May 9, 1977.)

Ms. Erickson moved adoption of the committee amendments.

#### MOTION

On motion of Mr. Bender, further consideration of Substitute Senate Bill No. 2435 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Bender, Representative Heck was excused from the Call of the House.

On motion of Mr. Berentson, Representative Pardini was excused from the Call of the House.

Representative Erak appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 2069:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the amendments by the Committee on Appropriations.

Mr. Shinpoch spoke in favor of the amendments, and they were adopted.

Engrossed Senate Bill No. 2069 as amended by the House was passed to Committee on Rules for third reading.

On motion of Mr. Berentson, Representative Zimmerman was excused from the Call of the House.

SUBSTITUTE SENATE BILL NO. 2125, by Committee on Transportation (Originally sponsored by Senators Henry, Gaspard and Bausch):

Requiring railway bridges to have walkways.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2125 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2125, and the bill passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Clayton, Craswell, Fancher, Flanagan, Oliver, Shinoda.  
Not voting: Representatives Heck, Kilbury, Pardini, Pearsall, Zimmerman.

Substitute Senate Bill No. 2125, 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. 2129, by Committee on State Government (Originally sponsored by Senators Walgren, Clarke, Rasmussen and Wilson):

Requiring a statement of purpose and other information to accompany agency rules.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 14th Day ex. sess., March 24, 1977.)

Mr. Ehlers moved adoption of the committee amendments.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Substitute Senate Bill No. 2129 was deferred, and the bill was ordered placed on the second reading calendar immediately following Engrossed Senate Bill No. 2199.

Representative Zimmerman appeared at the bar of the House.

SENATE BILL NO. 2180, by Senators Bottiger and Benitz (by Utilities and Transportation Commission request):

Increasing the maximum limit for revenue of small water companies not subject to regulation.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2180 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2180, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Heck, Kilbury, Pardini, Pearsall.

Senate Bill No. 2180, 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.

On motion of Ms. Becker, Representatives Bauer and McKibbin were excused from the Call of the House.

SENATE BILL NO. 2182, by Senators Henry and Bluechel (by Utilities and Transportation Commission request):

Increasing operating tax on certain transportation companies.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2182 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2182, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittner, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Fancher.

Not voting: Representatives Bauer, Heck, Kilbury, McKibbin, Pardini, Pearsall.

Senate Bill No. 2182, 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.

Representative Pearsall appeared at the bar of the House.

SENATE BILL NO. 2196, by Senators Woody, Clarke and Bottiger:

Increasing civil courts filing fees.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 48th Day ex. sess., April 27, 1977.)

On motion of Mr. Enbody, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2196 as amended by the House was placed on final passage.

Mr. Enbody spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2196 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmittner, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Heck, Kilbury, McKibbin, Pardini.

Senate Bill No. 2196 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. 2199, by Senator Lewis:**

Making more specific the degree of alcoholism which prevents a person from getting a driver's license.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Conner, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2199 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2199 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Heck, Kilbury, McKibbin, Pardini.

Engrossed House Bill No. 2199 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 SUBSTITUTE SENATE BILL NO. 2129:**

The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the adoption of the committee amendments.

The committee amendments were adopted.

## MOTION

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2129 as amended by the House was placed on final passage.

Mr. Ehlers 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. 2129 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Newhouse.

Not voting: Representatives Bauer, Heck, Kilbury, McKibbin, Pardini.

Engrossed Substitute Senate Bill No. 2129 as amended by the House, having received the constitutional majority, was declared passed.

The Speaker assumed the Chair.

Representative Bauer appeared at the bar of the House.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 1009, by Committee on Revenue (Originally sponsored by Representative Sommers).

Pertaining to revenue and taxation.

The Speaker stated the question before the House to be reconsideration of final passage of the bill.

Ms. Sommers spoke in favor of passage of the bill, and Mr. Polk spoke against it.

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

Mr. Knedlik spoke in favor of passage of the bill, and Representatives Berentson and Amen spoke against it.

## POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Hanna.

Mr. Hanna: "I was fascinated with some of your statistics that we were sixty-two and you were thirty-six, and you were implying, I think, that you were the superior legislators and more responsible. In subsequent years how did you go from having fifty to thirty-six?"

Mr. Polk: "I suppose that does deserve some sort of an answer, Representative Hanna. I can remember when we were fifty-one down here and your people only forty-eight—very close. We came out here on the floor and offered a budget and we had to vote against kidney machines, motherhood, welfare—everything to keep that budget in line. We had to do all those things that you people have been unwilling to do to keep the budget at a level that you can pay for without having to abstract more money from the people of the state of Washington. That's probably the principle reason we slipped into a minority position at the time. Your politics have been very good since that period and you have remained there at a majority with us at thirty-six. I think you'll have a chance to learn what it's like being in the minority very shortly."

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Hawkins.

Mr. Hawkins: "Representative Sommers, do you understand the Senate version of the budget to be a no-tax increase budget?"

Ms. Sommers: "I have been most interested in all of the publicity and all the remarks about the Senate no-tax increase, and I did check up on that. I really do think that we should clarify that the Senate budget contemplates \$80 million in extended surtaxes; it contemplates \$37 million in increased tuition fees, and the Senate, in that no-tax increase position, passed a variable gas tax bill which is \$118 million. They've got better PR than we do. I don't know how they do it, but I think we're being very honest and candid and saying that we need this to fund the schools. If we pass this it's going to be a small increase and I think we should stand up and say that."

Representatives Blair, Nelson (Gary), Dunlap, Deccio, Barnes and Wilson spoke against the bill, and Representative Douthwaite spoke in favor of it.

## ROLL CALL

The Clerk called the roll on reconsideration of final passage of Substitute House Bill No. 1009, and the bill passed the House by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fortson, Gallagher, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Pearsall, Pruitt, Salatin, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bender, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Fischer, Flanagan, Fuller, Gaines, Gilleland, Greengo, Gruger, Haley, Hurley G. S., Hurley M., Leckenby, Lee, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Kilbury, Pardini.

Substitute House Bill No. 1009, 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. King, Substitute House Bill No. 1009 was ordered transmitted immediately to the Senate.

On motion of Mr. King the House dispensed with further business under the Call of the House.

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

## SECOND READING

ENGROSSED SENATE BILL NO. 2221, by Senators Francis, Clarke and Van Hollebeck:

Increasing the number of King county superior court judges.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2221 was placed on final passage.

Mr. Knedlik spoke in favor of the bill, and Representatives Blair, Boldt and Shinpoch spoke against it.

## ROLL CALL

The Clerk called the roll on final passage of Engrossed Senate Bill No. 2221, and the bill failed to pass the House by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Adams, Barnes, Bender, Burns, Chandler, Charette, Charnley, Conner, Douthwaite, Dunlap, Enbody, Eng, Fischer, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hurley G. S., King, Knowles, Leckenby, Lux, Martinis, Maxie, McCormick, Nelson D., North, O'Brien, Pearsall, Polk, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Walk, Warnke, Williams, Wilson.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Clayton, Clemente, Craswell, Deccio, Ehlers, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gilleland, Haley,



Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Knedlik, Kreidler, Lee, Lysen, May, McKibbin, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Salatino, Schmitten, Shinoda, Struthers, Thompson, Tilly, Valle, Vrooman, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Kilbury, Pardini, and Mr. Speaker.

Engrossed Senate Bill No. 2221, having failed to receive the constitutional majority, was declared lost.

ENGROSSED SENATE BILL NO. 2222, by Senators Francis, Clarke, Bottiger, Van Hollebeke, Woody and Hayner:

Revising the number of judges in the court of appeals.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2222 was placed on final passage.

Mr. 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. 2222, and the bill passed the House by the following vote: Yeas, 82; nays, 9; not voting, 7.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Smith, Sommers, Struthers, Tallyer, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Blair, Conner, Hansen, Paris, Patterson, Shipoch, Zimmerman.

Not voting: Representatives Douthwaite, Flanagan, Kilbury, Lux, Newhouse, Pardini, Schmitten.

Engrossed Senate Bill No. 2222, 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. 2254, by Senator Hayner:

Permitting the use in evidence of blood sample reports of the state toxicologist.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2254 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2254, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tallyer, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Deccio, Fischer.

Not voting: Representatives Bond, Flanagan, Kilbury, Knowles, Moreau, Oliver, Owen, Pardini.

Engrossed Senate Bill No. 2254, 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. 2263, by Senators Van Hollebeke and Morrison (by Department of Motor Vehicles request):

Revising the laws regulating employment agencies.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2263 was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2263, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Charette.

Not voting: Representatives Flanagan, Kilbury, Moreau, Owen, Pardini.

Engrossed Senate Bill No. 2263, 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. 2286, by Senators Odegaard and Francis:**

Revising law relating to regulation of the funeral business.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day ex. sess., April 22, 1977.)

On motion of Mr. Adams, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2286 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. 2286 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Barnes.

Not voting: Representatives Dunlap, Fuller, Kilbury, Knedlik, Pardini.

Engrossed Senate Bill No. 2286 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. 2295, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):**

Allowing joinder or cross-filing by additional parties in action to review administrative decision.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2295 was placed on final passage.

Mr. Knedlik spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2295, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Shinoda.

Not voting: Representatives Heck, Kilbury, Knowles, Kreidler, Moreau, Owen, Pardini.

Senate Bill No. 2295, 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. 2300, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Modifying the collection of jury costs.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2300 was placed on final passage.

Mr. Enbody spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2300, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Fuller, Kilbury, McKibbin, Pardini, Polk.

Engrossed Senate Bill No. 2300, 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 (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

SUBSTITUTE SENATE BILL NO. 3109, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander - by Governor Ray request):

Adopting the 1977-79 operating budget.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 61st, 62nd and 63rd Days, May 10, 11, and 12, 1977.)

Mr. Eng moved adoption of the following amendments by Representatives O'Brien and Maxie to the committee amendment:

On page 41, line 2 strike "355,000" and insert "405,000"

On page 41, line 4 strike "12,392,000" and insert "12,442,000"

On page 42, add a new subsection after subsection (8) as follows:

"(9) Up to \$50,000 may be expended to make available 24-hour nursing services to residents of Center Park in Seattle."

Mr. O'Brien spoke in favor of the amendments.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, this amendment was acted on negatively by the House on second reading already. I'm not sure, maybe he's changed the dollar amounts a little bit, but it appears that he's dealing with the exact same subject that was rejected by the House once before. It is out of order now."

The Speaker: "Representative Polk, the dollar amount has been reduced and therefore, it changes the scope of the amendment. The amendment is in order."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "Is the bill open for any amendments that might be offered at this point?"

The Speaker: "That's correct—within our rules."

Mr. Berentson spoke against the amendment, and Mr. O'Brien spoke again in favor of it.

Mr. O'Brien stated, that with the consent of the House, he would withdraw the amendment.

## SPEAKER'S RULING

The Speaker: "Representative O'Brien, you did not move adoption of the amendment; therefore, I cannot allow you to ask the House to withdraw the amendment."

The amendment was not adopted.

On motion of Mr. Shinpoch, the following amendment to the committee amendment was adopted:

On page 47, line 22 strike "2,633,092" and insert "2,505,592"

Ms. Erickson moved adoption of the following amendment to the committee amendment by Representatives Kreidler and Erickson:

On page 83, line 22 strike "\$13,529,874" and insert "\$13,566,874" and on line 24 strike "\$15,819,874" and insert "\$15,856,874"

Ms. Erickson spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Blair: "Representative Erickson, could you tell us what is WICHE?"

Ms. Erickson: "WICHE is the Western Interstate Council for Higher Education. Eleven western states have combined to serve the programs that are not held in each state. For instance, we have students that are enrolled in schools of optometry because we do not have that school in our state. Likewise we have students from other states enrolled our our veterinary medicine program and we pay that difference. Those are costs—not tuition, but costs to those states for our students that we send out and the other states pay the additional costs to us from the students they send in."

Mr. Blair spoke in favor of the amendment, and it was adopted.

On motion of Mr. Shinpoch, the following amendments by Representatives Blair and Shinpoch to the committee amendment were adopted:

On page 25, line 29 strike "983,872,000" and insert "985,301,120"

On page 25, line 30 strike "711,032,000" and insert "714,128,821"

On page 25, line 32, strike "1,696,356,000" and insert "1,700,881,941"

On page 25, line 33 strike "26,109" and insert "26,123"

On page 26, line 32 strike "82,878,000" and insert "83,772,941"

On page 26, line 34 strike "83,877,000" and insert "84,771,941"

On page 26, line 35 strike "3,738" and insert "3,748"

On page 27, line 2 strike "18,515,000" and insert "19,409,941"

On page 27, line 4 strike "19,514,000" and insert "20,408,941"

On page 27, line 5 strike "871" and insert "881"

On page 29, line 26 strike "74,963,000" and insert "75,278,000"

On page 29, line 27 strike "12,931,000" and insert "13,266,000"

On page 29, line 29 strike "88,977,000" and insert "89,627,000"

On page 30, line 23 strike "14,310,000" and insert "14,625,000"

On page 30, line 24 strike "609,000" and insert "944,000"

On page 30, line 25 strike "14,919,000" and insert "15,569,000"

On page 31, line 28 strike "85,364,000" and insert "85,394,000"

On page 31, line 30 strike "118,389,000" and insert "118,419,000"

On page 31, line 33 strike "13,359,000" and insert "13,389,000"  
 On page 31, line 35 strike "24,016,000" and insert "24,046,000"  
 On page 33, line 28 strike "293,951,000" and insert "294,021,000"  
 On page 33, line 30 strike "527,041,000" and insert "527,111,000"  
 On page 33, line 33 strike "264,591,000" and insert "264,661,000"  
 On page 33, line 35 strike "458,271,000" and insert "458,341,000"  
 On page 35, line 7 after "Up to" strike "430,000" and insert "500,000"  
 On page 35, line 8 after "care" strike "aides" and insert "nonprofessional employees"  
 On page 35, line 26 strike "76,396,000" and insert "74,096,000"  
 On page 35, line 28 strike "163,960,000" and insert "161,660,000"  
 On page 35, line 32 strike "\$50,924,000" and insert "\$51,924,000"  
 On page 35, line 33 strike "\$103,657,000" and insert "\$104,657,000"  
 On page 36, line 1 strike "\$16,644,000" and insert "\$14,344,000"  
 On page 36, line 3 strike "\$40,537,000" and insert "\$38,237,000"  
 On page 38, line 20 strike "259,292,000" and insert "261,711,179"  
 On page 38, line 21 strike "227,905,000" and insert "230,485,821"  
 On page 38, line 22 strike "487,197,000" and insert "492,197,000"  
 On page 38, line 25 strike "247,311,000" and insert "249,730,179"  
 On page 38, line 26 strike "212,186,000" and insert "214,766,821"  
 On page 38, line 27 strike "459,479,000" and insert "464,497,000"  
 On page 40, line 15 strike "40,708,000" and insert "40,889,000"  
 On page 40, line 17 strike "58,842,000" and insert "59,023,000"  
 On page 40, line 18 strike "857" and insert "861"  
 On page 40, line 32 strike "7,288,000" and insert "7,469,000"  
 On page 40, line 33 strike "11,998,000" and insert "12,179,000"  
 On page 40, line 34 strike "329" and insert "333"  
 On page 46, line 5 strike "8,329,000" and insert "9,369,000"  
 On page 46, line 8 strike "10,407,000" and insert "11,447,000"  
 On page 46, line 11 strike "792,000" and insert "1,475,000"  
 On page 46, line 12 strike "792,000" and insert "1,475,000"  
 On page 46, line 15 strike "3,718,000" and insert "3,952,000"  
 On page 46, line 17 strike "4,531,000" and insert "4,765,000"  
 On page 46, line 20 strike "3,819,000" and insert "3,942,000"  
 On page 46, line 23 strike "5,084,000" and insert "5,202,000"

Mr. Bauer moved adoption of the following amendment to the committee amendment by Representatives Bauer, Zimmerman, Heck and McKibbin:

On page 56, following line 11 insert "The appropriations contained in this section shall be subject to the following condition or limitation: At least \$15,500 of the general fund—state appropriation shall be to continue the eleven month per year operation of the State Visitors' Center at Vancouver."

Representatives Bauer, Zimmerman and McKibbin spoke in favor of the amendment, and Mr. Patterson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to the committee amendment by Representatives Bauer, Zimmerman, Heck and McKibbin, and the amendment was adopted by the following vote: Yeas, 48; nays, 37; not voting, 13.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Blair, Boldt, Burns, Chandler, Charette, Charney, Clemente, Conner, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Grier, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, McCormick, McKibbin, North, O'Brien, Sherman, Shinoda, Shipoch, Sommers, Valle, Vrooman, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bender, Berentson, Bond, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Erak, Fancher, Gaines, Gallagher, Gilleland, Greengo, Grimm, Haley, Hurley M., Keller, Lee, May, Nelson G. A., Newhouse, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Struthers, Taller, Walk, Williams, Wilson.

Not voting: Representatives Fuller, Hanna, Kilbury, Leckenby, Maxie, Moreau, Nelson D., Oliver, Pardini, Pearsall, Smith, Thompson, Tilly.

The committee amendment as amended was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3109 as amended by the House was placed on final passage.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be final passage of Substitute Senate Bill No. 3109 as amended by the House.

Mr. Berentson spoke against passage of the bill, and Mr. O'Brien spoke in favor of it.

#### POINT OF ORDER

Mr. Tilly: "Mr. Speaker, Mr. O'Brien is talking about something that is not before us."

The Speaker: "You're incorrect. The point is not well taken."

Mr. O'Brien continued his remarks in favor of passage of the bill, and Mr. Polk spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Hawkins.

Mr. Hawkins: "Representative Shinpoch, in referring to the cut-off resolution, indication of the language in that document is that the countdown for adjournment begins when the budget is communicated to the House from the Senate. The Senate today is acting on the capital budget. Does that mean the countdown begins today or tomorrow?"

Mr. Shinpoch: "It is my understanding of the resolution that the countdown starts thirty days after the House receives the budget. I assume that if the House is going to receive the capital budget tomorrow, in that case countdown starts tomorrow."

#### POINT OF ORDER

Mr. Polk: "Mr. Speaker, if you will recall, that question was asked of the Speaker some couple of weeks ago, if it was interpreted that the budget that had been sent over started the countdown and the answer that was recorded was, yes. My point of order, Mr. Speaker, is that Representative Shinpoch and Representative Hawkins are trying to read something into the record that this body should expunge from the record because it's incorrect."

The Speaker: "I don't recall the conversation before, Representative Polk."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3109 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 38; nays, 56; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Erickson, Fortson, Gaines, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, King, Knowles, Kreidler, Lux, Lysen, May, McKibbin, Nelson D., North, O'Brien, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grimm, Haley, Hughes, Hurley M., Knedlik, Leckenby, Lee, Martinis, Maxie, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittens, Shinoda, Struthers, Taller, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Kilbury, Moreau, Pardini, Pearsall.

Substitute Senate Bill No. 3109 as amended by the House, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Martinis, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the House failed to pass Substitute Senate Bill No. 3109 as amended by the House.

The motion carried.

#### MOTION

On motion of Mr. Bender, further consideration of Substitute Senate Bill No. 3109 as amended by the House was deferred, and the bill was ordered held for Monday's third reading calendar.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 294,  
HOUSE BILL NO. 335,  
HOUSE BILL NO. 424,  
HOUSE BILL NO. 580,  
HOUSE BILL NO. 657,  
SUBSTITUTE HOUSE BILL NO. 839,  
HOUSE BILL NO. 878,  
HOUSE BILL NO. 879.

## MOTION

On motion of Mr. Bender, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

May 12, 1977

HOUSE BILL NO. 1105, Prime Sponsor: Representative Sommers, relating to revenue and taxation. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien.

To Committee on Rules for second reading.

May 12, 1977

HOUSE BILL NO. 1350, Prime Sponsor: Representative Sommers, providing for a state income tax. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien.

To Committee on Rules for second reading.

## MOTION

On motion of Mr. Bender the House advanced to the seventh order of business.

## THIRD READING

## MOTION FOR RECONSIDERATION

Mr. Knedlik, having voted on the prevailing side, moved that the House reconsider the vote by which the House failed to pass ENGROSSED SENATE BILL NO. 2221.

The motion carried.

## MOTIONS

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2221 was deferred and the bill was ordered placed on Monday's third reading calendar.

On motion of Mr. King, the House adjourned until 9:30 a.m., Monday, May 16, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 16, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Gaines, Haley, Lee, Pardini, Salatino and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Linda Warren and Jeff Carr. Prayer was offered by Father William Treacy 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.

## MESSAGES FROM THE SENATE

May 13, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2873,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3110,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 13, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 120,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 13, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 294,  
HOUSE BILL NO. 335,  
HOUSE BILL NO. 424,  
HOUSE BILL NO. 580,  
HOUSE BILL NO. 657,  
SUBSTITUTE HOUSE BILL NO. 839,  
HOUSE BILL NO. 878,  
HOUSE BILL NO. 879,  
SENATE BILL NO. 2108,  
SENATE BILL NO. 2122,  
SENATE JOINT MEMORIAL NO. 110,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENT TO HOUSE BILL

May 12, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 553 with the following amendment:

On page 1, line 17 after "a" insert "contract or"  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



## MOTION

On motion of Mr. May, the House concurred in the Senate amendment to Engrossed House Bill No. 553.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 553 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 553 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 1; not voting, 18.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Tally, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Valle.

Not voting: Representatives Charnley, Conner, Deccio, Enbody, Erickson, Gaines, Grimm, Gruger, Haley, Hanna, Lee, Lux, Maxie, Pardini, Salatino, Smith, Williams, Winsley.

Engrossed House Bill No. 553 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

May 12, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 582 with the following amendment:

Strike everything after the enacting clause and insert:

**NEW SECTION.** Section 1. It is the intent of this act to establish and recognize the Yakima river corridor from Selah Gap (Yakima Ridge) to Union Gap (Rattlesnake Hills) as a uniquely valuable recreation, conservation, and scenic resource in the state of Washington.

**NEW SECTION.** Sec. 2. For the purposes of this act, the Yakima river conservation area is to contain no more than the area delineated in appendix D on pages D-3, D-4, D-6, D-7, D-9, and D-10 of the report entitled "The Yakima River Regional Greenway" which resulted from the Yakima river study authorized in section 170, chapter 269, Laws of 1975, first extraordinary session.

**NEW SECTION.** Sec. 3. There is hereby created an area to be known as the "Washington State Yakima river conservation area". This area designation may be used as a common reference by all state and local agencies, municipalities, and federal agencies.

**NEW SECTION.** Sec. 4. The Yakima county commissioners are authorized to coordinate the acquisition, development, and operation of the Yakima river conservation area in accordance with the purposes of this act and in cooperation with public parks, conservation and resource managing agencies.

**NEW SECTION.** Sec. 5. The Yakima county commissioners are authorized to acquire such real property, easements or rights in river-related lands in the Yakima river conservation area, together with such real property, easements, and rights as are necessary for such conservation and parks purposes in any manner authorized by law for the acquisition of lands for conservation, parks and parkway purposes: PROVIDED, That only the Yakima county commissioners shall have the power of eminent domain for the purposes of this chapter.

**NEW SECTION.** Sec. 6. Except for such property as is necessary or suitable for the development of recreational areas and their related facilities, it is the intent of this section that such property shall be acquired to preserve, as much as possible, the river wetlands in their natural state.

**NEW SECTION.** Sec. 7. The Washington state parks and recreation commission is directed to consult with the Yakima county commissioners in the acquisition, development, and operation of the Yakima river conservation area in accordance with the purposes of this act and the Yakima river study authorized in section 170, chapter 269, Laws of 1975, first extraordinary session.

**NEW SECTION.** SEC. 8. The interagency committee for outdoor recreation is directed to assist the Yakima county commissioners in obtaining state, federal, and private funding for the acquisition, development, and operation of the Yakima river conservation area.

**NEW SECTION.** Sec. 9. Nothing herein shall be construed as affecting nor being in conflict with existing county or city zoning and/or permitted land uses and the right to develop, build or expand existing uses in accordance with the said zoning or permitted land uses within the Yakima river conservation area.

**NEW SECTION.** Sec. 10. Nothing in this act shall be construed to interfere with the powers, duties, and authority of the state department of game or the state game commission to regulate, manage, conserve,

and provide for the harvest of wildlife within such area: PROVIDED, HOWEVER, That no hunting shall be permitted in any state park.

**NEW SECTION.** Sec. 11. Nothing herein shall be construed as authorizing or directing the Yakima county commissioners to acquire any real property, easements, or rights in the Yakima river conservation area which are now held by any other agency without the approval of that agency.

**NEW SECTION.** Sec. 12. Sections 1 through 11 of this act shall be added to chapter 43.51 RCW." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Representative Hurley (Margaret) moved that the House do concur in the Senate amendment to House Bill No. 582, and spoke in favor of the motion.

#### MOTION

On motion of Mr. Charette, further consideration of House Bill No. 582 was deferred, and the bill was made a Special Order of Business for 10:30 a.m. today.

#### INTRODUCTIONS AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2873, by Committee on Constitution and Elections (Originally sponsored by Senators Goltz, Bailey, Sellar and Newschwander – by Joint Board of Legislative Ethics request):

Revising laws relating to legislative ethics.

To Committee on Elections and Governmental Ethics

ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander):

Adopting the 1977–79 capital budget.

To Committee on Appropriations

SENATE CONCURRENT RESOLUTION NO. 120, by Senators Walgren, Sandison, Matson and Newschwander:

Amending Senate Concurrent Resolution No. 113.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 120 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 120 was placed on final passage.

Senate Concurrent Resolution No. 120 was adopted.

#### SECOND READING

HOUSE BILL NO. 778, by Representatives Conner, McCormick and Warnke:

Authorizing voluntary deductions for group insurance premiums from state patrol retirement allowances.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 60th Day ex. sess., May 9, 1977.)

On motion of Mr. Shinpoch, the committee amendment was adopted.

House Bill No. 778 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 778 was placed on final passage.

Mr. 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. 778, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Embody,

Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charette, Conner, Deccio, Gaines, Grimm, Haley, Lee, Oliver, Pardini, Salatino, Shinpoch, Williams.

Engrossed House Bill No. 778, 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. 1221, by Representative Warnke:

Adding time as cadets in the patrol training program to the state patrol retirement system.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 1221 was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1221, and the bill passed the House by the following vote: Yeas, 86; nays, 2; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Eng.

Not voting: Representatives Deccio, Gaines, Grimm, Haley, Lee, North, Pardini, Salatino, Sommers, Williams.

House Bill No. 1221, 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. 1265, by Representative Shinpoch:

Refunding certain limited obligation revenue bonds of the various institutions of higher education with state general obligation bonds.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 1265 was substituted for House Bill No. 1265, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1265 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1265 was placed on final passage.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Shinpoch, in section 2 I see where the purpose of this refunding is to release the reserves presently required under existing covenant. What are those reserves going to be used for?"

Mr. Shinpoch: "Representative Leckenby, the reserves go into the General Fund. House Bill No. 1265 is a continuation of a policy that we started a couple or three years ago for those obligations of the state where we could have better credit. We could release reserves to go into the General Fund for General Fund use and to use the full credit of the state rather than revenue bonds. We can get better interest rates with the full credit of the state than we can with general revenue bonds. This is a continuation of that. The \$11 million in reserve would be released to the General Fund."

Mr. Leckenby spoke against passage of the bill, and Mr. Shinpoch spoke in favor of it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Shinpoch, I recognize that revenue bonds usually have a little higher interest rate than general obligation bonds, but isn't it true that in revenue bonds the interest is based solely on certain revenue and when you shift that over to general obligation bonds the reason the interest rate is lower is because the general fund of the state has assumed a contingent obligation it didn't otherwise have and in the final analysis the revenue's not there and the state has to pay it. That's the reason we have a lower interest rate."

Mr. Shinpoch: "Yes, that's a correct statement, however I'm sure that you're also aware that even under the revenue bonds, if the institution of higher education is not able to pay it, the state would probably still be liable in that they are an entity of the state."

Representatives Flanagan and Oliver spoke against passage of the bill, and Representatives Blair and Shinpoch spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1265, and the bill passed the House by the following vote: Yeas, 81; nays, 9; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Craswell, Dunlap, Eng, Fancher, Flanagan, Leckenby, Nelson G. A., Oliver.

Not voting: Representatives Deccio, Gaines, Haley, Lee, Lysen, Pardini, Salatino, Williams.

Substitute House Bill No. 1265, 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. 2301, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Increasing witness fees.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2301 was placed on final passage.

Mr. Knedlik spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2301, and the bill passed the House by the following vote: Yeas, 86; nays, 2; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Hawkins.

Not voting: Representatives Deccio, Gaines, Haley, Lee, Pardini, Salatino, Shinoda, Smith, Williams, Wilson.

Senate Bill No. 2301, 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. 2302, by Senators Francis, Clarke and Van Hollebeke (by Judicial Council request):

Modifying the fee for a writ of garnishment.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2302 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2302, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, North, Pardini, Salatino, Williams, Wilson.

Senate Bill No. 2302, 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. 2314, by Senator Sellar:

Increasing county auditor's fees for official services.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2314 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2314, and the bill passed the House by the following vote: Yeas, 89; nays, 3; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Lysen, Struthers.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Williams.

Senate Bill No. 2314, 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. 2324, by Senator Hayner:

Providing an alternative method of giving notice of a materialman's lien.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2324 was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2324, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Not Voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio,

Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Williams.

Engrossed Senate Bill No. 2324, 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. 2341**, by Senators Peterson, Wanamaker and Talley (by Department of Game request):

Allowing the director of game to determine the time and place of the drawing in special hunting seasons.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2341 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2341, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Sanders.

Not voting: Representatives Amen, Gaines, Haley, Knowles, Lee, Pardini, Salatino, Williams.

Senate Bill No. 2341, 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. 2344**, by Senators Peterson, Wanamaker and Talley (by Department of Game request):

Prohibiting the application of the distribution percentage to fines and forfeitures transmitted to the director of game.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2344 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2344, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Williams.

Engrossed Senate Bill No. 2344, 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. 2371, by Senators Walgren, Henry and Guess:

Updating the Model Traffic Ordinance.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2371 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2371, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, May, Pardini, Williams.

Senate Bill No. 2371, 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. 2416, by Senators Walgren, Woody, Clarke and Henry:

Providing a forfeiture hearing before the seizing agency to a person whose property has been seized under the controlled substances act.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2416 was placed on final passage.

Mr. Enbody spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2416, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Williams.

Engrossed Senate Bill No. 2416, 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. 2421, by Senators Goltz, Lewis and North:

Authorizing local governments to employ hearing examiners to hear applications for amending zoning ordinances.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 36th Day ex. sess., April 15, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2421 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2421 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Thompson, Williams.

Engrossed Senate Bill No. 2421 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.

#### SPECIAL ORDER OF BUSINESS

The Speaker (Mr. O'Brien presiding) stated that the hour of 10:30 a.m. had arrived and the question before the House was the motion by Representative Hurley (Margaret) to adopt the Senate amendment to House Bill No. 582.

Mr. Charette spoke in favor of the motion, and the motion carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 582 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 582 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 3; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Charnley, Erak.

Not voting: Representatives Dunlap, Gaines, Gruger, Haley, Hurley G. S., Lee, Pardini, Salatino, Williams.

House Bill No. 582 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.

#### ENGROSSED SENATE BILL NO. 2452, by Senator Goltz:

Authorizing reasonable restraint of persons incapacitated by alcohol by medical personnel and limiting liability for actions in the course of official duty.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2452 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2452, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Gaines, Haley, Lee, Pardini, Salatino, Shinoda, Thompson, Williams.

Engrossed Senate Bill No. 2452, 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. 2484, by Senators Henry and Wanamaker:

Modifying scope of the authority of the Utilities and Transportation Commission to issue rules.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2484 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2484 and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Hansen, Lee, Pardini, Salatino, Williams.

Senate Bill No. 2484, 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. 2681, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

Amending the appropriations law to direct transfers of certain funds of the state treasurer.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2681 was placed on final passage.

Mr. Shipoch spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2681, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Clayton, Gaines, Grier, Haley, Hansen, Lee, Pardini, Salatino, Shinoda, Taller, Williams.

Substitute Senate Bill No. 2681, 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. 3017, by Senators Odegaard and Monohon:

Authorizing transfer of property owned by one port district but located in another.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 49th Day ex. sess., April 28, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 3017 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3017 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Hansen, Lee, Pardini, Salatino, Shinoda, Williams.

Senate Bill No. 3017 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. 2002, by Senator Beck:

Prohibiting controlled substances in state penal institutions.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2002 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2002, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Williams.

Senate Bill No. 2002, 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. 2081, by Senator Francis:

Creating warrant server positions for municipal courts of large cities.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2081 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Charette.

Mr. Charette: "Representative Knowles, under this bill how would the Seattle warrant server be able to go to Spokane or Zillah or Cosmopolis and arrest a person for a traffic violation where they have received a ticket and have not appeared in court?"

Mr. Knowles: "It's my understanding, Representative Charette, they are only authorized to serve within the municipal court district."

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Senate Bill No. 2081 was deferred, and the bill was ordered placed at the bottom of today's third reading calendar.

**SUBSTITUTE SENATE BILL NO. 2154**, by Committee on Labor (Originally sponsored by Senators Bottiger and Hayner):

Governing increased state participation in third party industrial insurance actions.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 60th Day ex. sess., May 9, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2154 as amended by the House was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Charette, a lot of us don't know exactly what is going on in terms of third party industrial insurance action. Could you explain precisely just what this does? It sounds as though we're creating more legal work for trial lawyers and I don't think we want to do that."

Mr. Charette: "It does not create more legal work. The 1955 or 1957 session of the Legislature passed a law allowing third party actions to be brought. The industrial insurance laws prohibit suits by employees against employers or employees hired by the same employer. Many times there are actions that are two employees by different employers and it is possible for one person to sue the other. The law requires that all money paid out to the person bringing the suit must be paid back to the state fund. This law would allow the Department of Labor and Industries to allow that plaintiff recipient under the industrial insurance law to comprise the plaintiff. I assure you the Department of Labor and Industries in this area has a very good section and the state would recover more money than they now recover."

Mr. Knedlik spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2154 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers,

Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Gaines, Haley, Lee, Pardini, Salatino, Williams.

Substitute Senate Bill No. 2154 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. 2166**, by Senators Odegaard, Donohue, Clarke and Woody (by Legislative Budget Committee request to implement Performance Audit Recommendations):

Transferring the powers, duties and functions of the printing and duplicating committee to the newly-created printing and duplicating management center.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day ex. sess., April 19, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2166 as amended by the House 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 Engrossed Senate Bill No. 2166 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Lee, Martinis, Pardini, Salatino, Williams.

Engrossed Senate Bill No. 2166 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. 2169**, by Committee on Natural Resources (Originally sponsored by Senators Talley and Peterson):

Amending law authorizing disposal of gravel and sand from state shorelands onto private property.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 60th Day ex. sess., May 9, 1977.)

On motion of Mr. Martinis, the committee amendments were adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2169 as amended by the House was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2169 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio,

Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Knowles, Lee, Pardini, Salatino, Sommers, Williams.

Substitute Senate Bill No. 2169 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. 2365, by Senators Fleming, Guess, Henry, Talley and Wanamaker (by Department of Highways request):

Revising laws relating to highways.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2365 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2365, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charney, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Valle, Zimmerman.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Warnke, Williams.

Engrossed Senate Bill No. 2365, 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. 2437, by Senators Henry, Guess, Beck, Lewis and Woody:

Enacting the interstate compact for school bus safety.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 48th Day ex. sess., April 27, 1977.)

On motion of Mr. Conner, the committee amendment was adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2437 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2437 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charney, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall,

Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Eng.

Not voting: Representatives Boldt, Gaines, Haley, Lee, Martinis, Pardini, Salatino, Tilly, Williams.

Engrossed Senate Bill No. 2437 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. 2443, by Senators Ridder, Bailey and Sellar:**

Establishing an additional purpose and function of the board of electrical examiners and creating the department of labor and industries, division of building and construction safety inspection services revolving fund.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2443 was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2443, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Eng.

Not voting: Representatives Bender, Flanagan, Gaines, Haley, Lee, Pardini, Salatino, Williams.

Engrossed Senate Bill No. 2443, 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. 2530, by Committee on Transportation (Originally sponsored by Senator Henry):**

Requiring new school buses over thirty-six feet six inches long to have three axles.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2530 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2530, and the bill passed the House by the following vote: Yeas, 86; nays, 5; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fischer, Gruger, Hawkins, Valle, Wilson.

Not voting: Representatives Douthwaite, Gaines, Haley, Lee, Pardini, Salatino, Williams.

Substitute Senate Bill No. 2530, 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. 2570, by Senators Washington, Bailey and Guess:

Providing for a school facilities cost stabilization program.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day ex. sess., May 6, 1977.)

On motion of Mr. Clemente, the committee amendments were adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2570 as amended by the House was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Clemente, I'm only concerned with one thing. Will the effect of this bill unnecessarily restrict individual districts from building or constructing facilities to meet their needs? In other words, I'm concerned about an overall state plan of some kind that would clamp down too severely on the districts."

Mr. Clemente: "There is no intention to design school houses exactly alike. This pertains mainly to a practice that's widely accepted in the private building industry where uniform sub-assemblies can be built into unique buildings—heating and electrical systems and so forth—plus there are modular constructions that lend themselves to various types of terrain requirements. This is more an advisory to assist the various school districts."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2570 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Gaines, Haley, Leckenby, Lee, Pardini, Pearsall, Salatino, Williams.

Engrossed Senate Bill No. 2570 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. 2668, by Senators Marsh, Francis and Buffington:

Enacting a Landlord-Tenant Act for mobile home lots.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day ex. sess., April 29, 1977.)

Mr. Smith moved adoption of the committee amendments.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Ehlers to the committee amendment:

On page 7 of the amendment, line 29 after "possession" insert ": PROVIDED FURTHER, That any such improvements not claimed and removed by a tenant within a reasonable time, and in no event within thirty days following termination of the tenancy, shall become the property of the landlord"

Mr. Tilly spoke in favor of the amendment to the committee amendment, and Mr. Thompson spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment to the committee amendment was not adopted.

Mr. Smith spoke in favor of the committee amendments, and they were adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2668 as amended by the House was placed on final passage.

Representatives Ehlers, Smith and Barnes spoke in favor of passage of the bill, and Representatives Charette, Deccio and Zimmerman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2668 as amended by the House, and the bill passed the House by the following vote: Yeas, 67; nays, 23; not voting, 8.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Pearsall, Pruitt, Sanders, Sherman, Shinpoch, Smith, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Charette, Clayton, Conner, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Owen, Patterson, Polk, Shinoda, Struthers, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Gaines, Haley, Lee, Pardini, Salatino, Schmitt, Sommers, Williams.

Engrossed Senate Bill No. 2668 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 wish the record to show that I wished to vote "Yea" on Engrossed Senate Bill No. 2668 as amended by the House.

PAUL SHINODA, 39th District.

ENGROSSED SENATE BILL NO. 2769, by Senators Ridder, von Reichbauer and Sellar:

Increasing the registration fees for contractors.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2769 was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2769, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Patterson.

Not voting: Representatives Douthwaite, Gaines, Haley, Lee, Pardini, Salatino, Sommers, Williams.

Engrossed Senate Bill No. 2769, 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. 2864, by Senator Bausch:

Requiring an accident report when a legally standing vehicle is involved in an accident.

The bill was read the second time.



On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Bill No. 2864 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2864, and the bill passed the House by the following vote: Yeas, 86; nays, 2; not voting, 10.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Parris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Eng.

Not voting: Representatives Deccio, Douthwaite, Gaines, Haley, Lee, Pardini, Salatino, Sommers, Warnke, Williams.

Senate Bill No. 2864, 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. 2872**, by Committee on Judiciary (Originally sponsored by Senator Marsh):

Revising out-dated and offensive language pertaining to the physically, mentally and sensory handicapped and providing a defined process to determine mental status due to incompetency or disability.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2872 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2872, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Parris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charnley, Gaines, Haley, Lee, Pardini, Salatino, Williams.

Substitute Senate Bill No. 2872, 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. 2927**, by Senator von Reichbauer:

Changing the time when animals are deemed abandoned.

The bill was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Bill No. 2927 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2927, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland,

Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Clayton, Gaines, Haley, Lee, Martinis, Pardini, Salatino, Taller, Williams.

Senate Bill No. 2927, 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. 3009, by Senator Peterson:

Authorizing parks and recreation districts to issue interest bearing warrants.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 57th Day ex. sess., May 6, 1977.)

On motion of Mr. Thompson, the committee amendment was adopted.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3009 as amended by the House was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3009, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Fischer, Gaines, Haley, Lee, Pardini, Salatino, Williams.

Engrossed Senate Bill No. 3009 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 JOINT MEMORIAL NO. 109, by Senators Talley and Murray (by Oceanographic Commission of Washington request):

Requesting the federal government to develop a program of standards for marine measurements.

The memorial was read the second time.

On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 109 was placed on final passage.

Mrs. Fortson spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 109, and the memorial passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Douthwaite, Gaines, Haley, Lee, Pardini, Salatino, Thompson, Williams.

Senate Joint Memorial No. 109, having received the constitutional majority, was declared passed.

### THIRD READING

SENATE BILL NO. 2384, by Senators Marsh, Matson and Grant (by Department of Labor and Industries request):

Changing the time for renewal of registration certificates of contractors.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2384, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yeas: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmittgen, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Douthwaite, Gaines, Haley, Lee, Pardini, Salatino, Williams.

Senate Bill No. 2384, 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. King, the House recessed until 1:30 p.m.

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### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Salatino and Williams, who were excused.

Mr. Knowles 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 Salatino and Williams.

### MOTIONS

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

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

### SECOND READING

SENATE BILL NO. 2014, by Senators Wilson and Jones:

Removing obsolete provisions of laws relating to Indians.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2014 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2014, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Salatino, Williams.

Senate Bill No. 2014, 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. 2055, by Senators Odegaard, Clarke, Newschwander, Woody and Bausch (by Legislative Budget Committee request):

Disestablishing the anti-monopoly board.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day ex. sess., April 26, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2055 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2055 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Zimmerman.

Not voting: Representatives Salatino, Williams.

Senate Bill No. 2055 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. 2080, by Senators Wilson, Bottiger, Bluechel, Hayner and Odegaard:

Exempting local government public safety voluntary services from the state minimum wage laws.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 53rd Day ex. sess., May 2, 1977.)

On motion of Mr. Lux, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2080 as amended by the House was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2080 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Salatino, Williams.

Senate Bill No. 2080 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 AMENDMENTS TO HOUSE BILL

May 11, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 601 with the following amendments:

On page 1, following line 27 insert a new paragraph as follows:

"The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter."

On page 1, following Senators Wilson's amendment to page 1, line 27, insert the following: After "chapter" and before the period in the Wilson amendment insert "PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this 1977 amendatory act" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Warnke moved that the House do concur in the Senate amendments to Substitute House Bill No. 601.

Representatives Warnke and Conner spoke in favor of the motion, and Representatives Paris and Greengo spoke against it.

## MOTION

Mr. Douthwaite moved that the question be divided and that the House do concur in the amendment to page 1, line 27 and do not concur in the amendment to the amendment.

Mr. Douthwaite spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to divide the question on the Senate amendments to Substitute House Bill No. 601, and the motion was lost by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Bond, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Flanagan, Fuller, Gruger, Haley, Hurley G. S., Lee, Nelson D., Newhouse, Oliver, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shinpoch, Sommers, Struthers, Tally, Tilly, Valle, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Bender, Boldt, Charette, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., North, O'Brien, Owen, Pardini, Pearsall, Sherman, Smith, Thompson, Vrooman, Walk, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Salatino, Williams.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to concur in the Senate amendments to Substitute House Bill No. 601.

Mr. Erak spoke in favor of the motion and Mr. Douthwaite spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Substitute House Bill No. 601, and the motion was carried by the following vote: Yeas, 58; nays, 38; not voting, 2.

Voting yea: Representatives Adams, Bauer, Bender, Boldt, Charette, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Schmitt, Sherman, Shinoda, Smith, Struthers, Thompson, Vrooman, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Bond, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fancher, Fuller, Gilleland, Greengo, Gruger, Hurley G. S., Leckenby, Lee, Moreau, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Shipoch, Sommers, Taller, Tilly, Valle, Whiteside, Zimmerman.

Not voting: Representatives Salatino, Williams.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 601 as amended by the Senate.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Paris: "Does it take sixty votes to pass this measure?"

The Speaker (Mr. O'Brien presiding): "It requires fifty-nine votes—sixty percent of the membership."

Representatives Paris and Douthwaite spoke against passage of the bill, and Mr. Struthers spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 601 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 61; nays, 35; not voting, 2.

Voting yea: Representatives Adams, Bauer, Bender, Berentson, Boldt, Charette, Charnley, Clayton, Clemente, Conner, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Martinis, Maxie, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pearsall, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Blair, Bond, Burns, Chandler, Craswell, Deccio, Douthwaite, Dunlap, Eng, Fuller, Gilleland, Greengo, Gruger, Hurley G. S., Kreidler, Leckenby, Lee, Lysen, McKibbin, Moreau, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Salatino, Williams.

Substitute House Bill No. 601 as amended by the Senate, having received the sixty percent 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. 9, by Representative Maxie:

Amending the Constitution to provide for annual legislative sessions and other sessions to be convened by the legislature.

On motion of Mrs. Fortson, Substitute House Joint Resolution No. 9 was substituted for House Joint Resolution No. 9, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 9 was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 1, line 15 beginning with "The" strike all the material down to and including "Constitution." on line 20 and insert:

"(1) Regular Session. A regular session of the legislature shall be convened each year on such day and at such time as the legislature shall determine by statute. During each odd-numbered year, the regular session shall not be more than one hundred consecutive days. During each even-numbered year, the regular session shall not be more than sixty consecutive days.

(2) Special Legislative Sessions. Special legislative sessions may be convened for a period of not more than thirty consecutive days by proclamation of the governor pursuant to Article III, Section 7 of this Constitution or may be convened for a period of not more than thirty consecutive days by resolution of the legislature upon the affirmative vote of two-thirds of all the members elected or appointed to each house of the legislature, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. Such resolution shall specify a purpose or purposes for the convening of a special session, and any special session convened by such resolution shall consider only measures germane to the purpose or purposes expressed therein, unless by resolution adopted during such session by a two-thirds vote of the members of each house an additional purpose or purposes be expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

The first regular session of the legislature to be held pursuant to this amendment shall commence on the second Monday of January in the year following the approval by the voters of this amendment.

(3) Committees of the Legislature. Standing or special committees of the legislature shall meet and conduct official business pursuant to such rules as the legislature may adopt."

Representatives Polk and Tilly spoke in favor of the amendment, and Representatives Charette and Hawkins spoke against it.

Mr. Polk spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to Substitute House Joint Resolution No. 9, and the amendment was not adopted by the following vote: Yeas, 37; nays, 59; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Struthers, Tallier, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Cléménte, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives Salatino, Williams.

Mr. Berentson moved adoption of the following amendments:

On page 1, line 6 strike "and Article III, section 12 (Amendment 62)"

On page 1, beginning with "Article" on line 21 strike all the material down to and including "repealed:))" on line 29, page 2

Mr. Berentson spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Berentson to Substitute House Joint Resolution No. 9, and the amendments were adopted by the following vote: Yeas, 52; nays, 44; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Gruger, Haley, Hanna, Hawkins, Hughes, Keller, Knowles, Kreidler, Leckenby, Lee, Maxie, May, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmittin, Shinoda, Smith, Struthers, Tallier, Tilly, Valle, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Cléménte, Conner, Enbody, Eng, Erak, Fortson, Gaines, Gallagher, Grier, Grimm, Hansen, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Lux, Lysen, Martinis, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Sherman, Shipoch, Sommers, Thompson, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives Salatino, Williams.

Substitute House Joint Resolution No. 9 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1327, by Representatives King, Hawkins, Charnley, Bender, Fuller, Burns and Vrooman:

Establishing standards for governmental ethics.

The bill was read the second time.

On motion of Mr. Hawkins, Substitute House Bill No. 1327 was substituted for House Bill No. 1327, and the substitute bill was placed on the calendar for second reading.

#### MOTION

On motion of Mr. Bender, further consideration of Substitute House Bill No. 1327 was deferred, and the bill was ordered placed at the bottom of tomorrow's second reading calendar.

HOUSE BILL NO. 861, by Representatives Nelson (Dick), Williams, Hurley (George) and Valle:

Requiring the department of revenue and county assessors to publicize the retired persons' property tax exemption and deferral laws.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 861 was substituted for House Bill No. 861, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 861 was read the second time.

#### MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 861 was deferred, and the bill was ordered placed on the calendar following Substitute Senate Bill No. 2435.

SUBSTITUTE SENATE BILL NO. 2435, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Scott and Sandison):

Providing for disposition of operating fees charged at institutions of higher education.

The bill was read the second time. (For previous action, see Journal, 64th Day ex. sess., May 13, 1977.)

Ms. Erickson moved adoption of the Committee on Higher Education amendment to page 1, line 4.

Ms. Erickson spoke in favor of the committee amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 1, line 4 of Substitute Senate Bill No. 2435, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Adams, Barnes, Becker, Bender, Burns, Chandler, Charette, Charnley, Conner, Douthwaite, Enbody, Erak, Erickson, Fischer, Flanagan, Fuller, Gaines, Gallagher, Grimm, Hansen, Keller, King, Knedlik, Kreidler, Leckenby, Lee, Martinis, Maxie, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Schmitten, Smith, Struthers, Thompson, Tilly, Valle, Walk, Wilson, Zimmerman.

Voting nay: Representatives Amen, Barr, Bauer, Berentson, Blair, Boldt, Bond, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Eng, Fancher, Fortson, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knowles, Lux, Lysen, May, McCormick, McKibbin, Newhouse, Owen, Polk, Pruitt, Sanders, Sherman, Shinoda, Shinpoch, Sommers, Taller, Vrooman, Warnke, Whiteside, Winsley, and Mr. Speaker.

Not voting: Representatives Salatino, Williams.

Ms. Erickson moved adoption of the committee amendment to page 1, line 29.

On motion of Mr. Shinpoch, the following amendment to the committee amendment was adopted:

On page 1, line 29 after "fund" strike the remainder of the proviso and insert "PROVIDED, That required matching moneys for federal and state financial aid programs may be exempt from such deposit with approval of the director of the office of program planning and fiscal management."

The committee amendment as amended was adopted.



On motion of Ms. Erickson, the committee amendment to page 2, line 15 was adopted.

On motion of Ms. Erickson, the committee amendment to the title was not adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2435 as amended by the House 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 Substitute Senate Bill No. 2435 as amended by the House, and the bill passed the House by the following vote: Yeas, 70; nays, 26; not voting, 2.

Voting yea: Representatives Bauer, Becker, Blair, Boldt, Bond, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Eng, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Sanders, Sherman, Shinoda, Shinpoch, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bender, Berentson, Burns, Charette, Douthwaite, Ehlers, Enbody, Erak, Erickson, Grimm, King, Martinis, Maxie, Nelson D., Pardini, Patterson, Schmitten, Smith, Struthers, Tilly, Walk, Zimmerman.

Not voting: Representatives Salatino, Williams.

Substitute Senate Bill No. 2435 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 HOUSE BILL NO. 861:

The House resumed consideration of the bill on second reading.

On motion of Ms. Sommers, the following amendment by Representatives Williams, Sommers and Nelson (Dick) was adopted:

On page 1, beginning on line 11 after "revenue." strike all material down to and including "year." on line 14

Ms. Sommers moved adoption of the following amendment by Representatives Williams, Sommers and Nelson (Dick):

On page 2, beginning on line 13 after "claimant." strike all material down to and including "year." on line 16.

Ms. Sommers spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Sommers, if this amendment passes is there any way that the state could check on the income of the people applying for an exemption?"

Ms. Sommers: "The procedure now and in the past has been to require affidavits to be signed sworn to by the individual and that would continue to be the procedure."

The amendment was adopted.

On motion of Ms. Sommers, the following amendments were adopted:

Beginning on page 2, strike all of section 3.

On page 1, line 4 of the title strike "; and declaring an emergency"

Substitute House Bill No. 861 was ordered engrossed.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 861 was placed on final passage.

Mr. Nelson (Dick) 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. 861, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Flanagan, Pardini.

Not voting: Representatives Salatino, Williams.

Engrossed Substitute House Bill No. 861, 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. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, May 17, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTY-EIGHTH DAY

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MORNING SESSION

---

House Chamber, Olympia, Wash., Tuesday, May 17, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Salatino and Vrooman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Sutton and Wayne Wagner. Prayer was offered by Father William Treacy 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.

MESSAGE FROM THE GOVERNOR

May 16, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 16, 1977, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 199: Allowing state fire marshal access to criminal offender record information.

HOUSE BILL NO. 287: Requiring certain county electrical projects to be by contract.

HOUSE BILL NO. 506: Permitting certain PUD's to have sewage districts without reference to a water system.

SUBSTITUTE HOUSE BILL NO. 563: Extending the labor dispute disqualification for unemployment benefits.

HOUSE BILL NO. 613: Repealing property tax revaluation ratio procedures.

HOUSE BILL NO. 755: Providing for tamperproof licenses and identicards.

HOUSE BILL NO. 852: Permitting certain amendments to contracts for nuclear generating projects.

Sincerely,

Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

May 16, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 238,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 16, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2125,  
SENATE BILL NO. 2180,  
SENATE BILL NO. 2182,  
SENATE BILL NO. 2222,  
SENATE BILL NO. 2254,  
SENATE BILL NO. 2263,  
SENATE BILL NO. 2295,  
SENATE BILL NO. 2300,

SENATE CONCURRENT RESOLUTION NO. 120,  
and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

May 13, 1977

ENGROSSED SENATE BILL NO. 2480, Prime Sponsor: Senator Ridder, revising the law on unemployment compensation. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 3, line 35 delete the remainder of the bill and insert the following:

\*NEW SECTION. Sec. 3. There is added to chapter 35, Laws of 1945 and to chapter 50.04 RCW a new section to read as follows:

(1) Service performed in agricultural labor on and after January 1, 1978, for a farm operator or crew leader will be deemed services in employment if the farm operator or crew leader:

(a) Paid twenty thousand dollars or more as remuneration to individuals employed in agricultural labor during any calendar quarter in the current or preceding calendar year; or

(b) Employed ten or more individuals in agricultural labor for some portion of the day in each of twenty different calendar weeks in either the current or preceding calendar year regardless of whether they were employed at the same moment of time or whether or not the weeks were consecutive.

(2) Service performed in agricultural labor on and after January 1, 1980, for a farm operator or crew leader will be deemed services in employment if the farm operator or crew leader:

(a) Paid five thousand dollars or more as remuneration to individuals employed in agricultural labor during any calendar quarter in the current or preceding calendar year; or

(b) Employed four or more individuals in agricultural labor for some portion of the day in each of twenty different calendar weeks in either the current or preceding calendar year regardless of whether they were employed at the same moment of time or whether or not the weeks were consecutive.

(3) Service performed in agricultural labor on and after January 1, 1982, for a farm operator or crew leader will be deemed services in employment if the farm operator or crew leader employed one or more individuals in agricultural labor at any time during the current or preceding calendar year.

(4) A farm operator is the owner or tenant of the farmlands who stands to gain or lose economically from the operations of the farm. Employment will be considered employment by the farm operator unless it is established to the satisfaction of the commissioner that the services were performed in the employ of a crew leader. The risk of nonpersuasion is upon the farm operator. The operator will nonetheless be liable for contributions under RCW 50.24.130 even though services performed on the operator's farmlands would not be sufficient to bring the services under the term employment if services performed on the operator's land in the employ of a crew leader would be covered and the crew leader has failed to pay contributions on the services. For the purposes of the preceding sentence and RCW 50.24.130, all moneys paid or payable to the crew leader by the farm operator shall be deemed paid for services unless there is a written contract clearly specifying the amounts of money to be attributed to items other than services of the crew leader or the crew leader's employees.

(5) For the purposes of this section, a crew leader is a person who furnishes individuals to perform services in agricultural labor for the benefit of any other person, who pays for the services performed in agricultural labor (either on his or her own behalf or on behalf of the other person), and who has not made a written agreement making himself or herself an employee of the other person: PROVIDED, That no person shall be deemed a crew leader unless he or she is established independently of the person for whom the services are performed and either has a valid certificate of registration under the farm labor contractor registration act of 1963 or substantially all the members of his or her crew operate or maintain tractors, mechanized harvesting or crop dusting equipment, or any other mechanized equipment which is provided by the crew leader.

Sec. 4. Section 17, chapter 35, Laws of 1945 as amended by section 4, chapter 215, Laws of 1947 and RCW 50.04.160 are each amended to read as follows:

~~((The term "employment" shall not include domestic service in a private home, local college club, or local chapter of a college fraternity or sorority. PROVIDED, HOWEVER, That)) Services performed in domestic service in a private home, local college club, or local chapter of a college fraternity or sorority shall not be considered services in employment unless the services are performed after December 31, 1977, for a person who paid remuneration of one thousand dollars or more to individuals employed in this domestic service in any calendar quarter in the current or the preceding calendar year. The terms local college club and local chapter of a college fraternity or sorority shall not be deemed to include alumni clubs or chapters.~~

NEW SECTION. Sec. 5. There is added to chapter 35, Laws of 1945 and to chapter 50.04 RCW a new section to read as follows:

Services performed by aliens legally or illegally admitted to the United States shall be considered services in employment subject to the payment of contributions to the extent that services by citizens are covered.

NEW SECTION. Sec. 6. There is added to chapter 35, Laws of 1945 and to chapter 50.20 RCW a new section to read as follows:

Benefits shall not be paid to any individual on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which

commences during the period between two successive sport seasons (or similar periods) if the individual performed the services in the first of the seasons (or similar periods) and there is a reasonable assurance that the individual will perform the services in the latter of the seasons (or similar periods).

Sec. 7. Section 28, chapter 35, Laws of 1945 and RCW 50.04.270 are each amended to read as follows:

The term 'employment' shall not include casual labor not in the course of the employer's trade or business (labor which does not promote or advance the trade or business of the employer). Temporary labor in the usual course of an employer's trade or business or domestic services as defined in RCW 50.04.160 shall not be deemed to be casual labor.

Sec. 8. Section 31, chapter 35, Laws of 1945 as amended by section 10, chapter 3, Laws of 1971 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, the District of Columbia, the Virgin Islands, and the Commonwealth of Puerto Rico.

Sec. 9. Section 44, chapter 35, Laws of 1945 as last amended by section 11, chapter 3, Laws of 1971 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, the Commonwealth of Puerto Rico 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 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. 10. There is added to chapter 35, Laws of 1945 and to chapter 50.20 RCW a new section to read as follows:

(1) Benefits shall not be paid on the basis of services performed by an alien unless the alien is an individual who has been lawfully admitted for permanent residence or otherwise is permanently residing in the United States under color of law (including an alien who is lawfully present in the United States as a result of the application of 8 U.S.C. Sec. 1153(a)(7) or 8 U.S.C. Sec. 1182(d)(5): **PROVIDED**, That any modifications to 26 U.S.C. Sec. 3304(a)(14) as provided by PL 94-566 which specify other conditions or other effective date than stated herein for the denial of benefits based on services performed by aliens and which modifications are required to be implemented under state law as a condition for full tax credit against the tax imposed by 26 U.S.C. Sec. 3301 shall be deemed applicable under this section.

(2) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(3) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to the individual are not payable because of his or her alien status shall be made except upon a preponderance of the evidence.

Sec. 11. Section 2, chapter 1, Laws of 1971 as amended by section 7, chapter 73, Laws of 1973 and RCW 50.22.010 are each amended to read as follows:

As used in this chapter, 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.);~~ and

(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)) for the period consisting of such week and the twelve weeks immediately preceding it, the rate of insured unemployment (seasonally adjusted) for all states equaled or exceeded four and five-tenths percent (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period).

(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)) for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (seasonally adjusted) for all states was less than four and five-tenths percent (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period).

(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)) either:

(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 equaled or exceeded four percent; or

(b) Equaled or exceeded ((four) five 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)) four percent; or

(b) ((Less than)) Four percent or more but less than five percent and the rate of insured unemployment was less than one hundred twenty percent of the average of the rates for the corresponding thirteen week period ending in each of the two preceding calendar years.

(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)) (7) 'Extended benefits' means benefits payable for weeks of unemployment beginning in an extended benefit period 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 ((emergency benefits payable to an individual under the provisions of this chapter for weeks of unemployment in his eligibility period)) regular or additional benefits.

((9)) (8) 'Additional benefits' are benefits ((other than regular benefits or extended benefits)) totally financed by the state and payable under this title to exhaustees by reason of conditions of high unemployment or by reason of other special factors.

((10)) (9) '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)) (10) '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 payable to him under this title or any other state law (including dependents' allowances and regular 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; or

(b) 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 regular benefits available to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his current benefit year that includes such week, after the cancellation of some or all of his wage credits or the total or partial reduction of his rights to regular benefits: PROVIDED, That, for the purposes of (a) and (b), an individual shall be deemed to have

received in his current benefit year all of the regular benefits that were payable to him, or available to him, as the case may be, even though:

(i) As a result of a pending appeal with respect to wages or employment, or both, that were not included in the original monetary determination with respect to his current benefit year, he may subsequently be determined to be entitled to more regular benefits; or

(ii) By reason of the seasonal provisions of another state law, he is not entitled to regular benefits with respect to such week of unemployment (although he may be entitled to regular benefits with respect to future weeks of unemployment in the next season, as the case may be, in his current benefit year), and he is otherwise an exhaustee within the meaning of this section with respect to his right to regular benefits under such state law seasonal provisions during the season or off season in which that week of unemployment occurs; or

(iii) Having established a benefit year, no regular benefits are payable to him during such year because his wage credits were canceled or his right to regular benefits was totally reduced as the result of the application of a disqualification; or

(c) His benefit year having ended prior to such week, he has insufficient wages or employment, or both, on the basis of which he could establish in any state a new benefit year that would include such week, or having established a new benefit year that includes such week, he is precluded from receiving regular benefits by reason of the provision in RCW 50.04.030 which meets the requirement of section 3304(a)(7) of the Federal Unemployment Tax Act, or the similar provision in any other state law; and

(d) (i) Has no right for such week to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the Trade Expansion Act of 1962, and such other federal laws as are specified in regulations issued by the United States secretary of labor; and

(ii) Has not received and is not seeking for such week unemployment benefits under the unemployment compensation law of the Virgin Islands or Canada, unless the appropriate agency finally determines that he is not entitled to unemployment benefits under such law for such week.

((†2)) (11) '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.

Sec. 12. Section 104, chapter 35, Laws of 1945 as last amended by section 1, chapter 35, Laws of 1972 ex. sess. 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 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 RCW 50.44.030 as a matter of right~~). 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(~~: PROVIDED, FURTHER, That the provisions of RCW 50.04.200 to the contrary notwithstanding, public port districts may elect to cover the services of all or any distinct class or group of individuals in its employ on a contribution basis; such election shall preclude said port districts from covering contemporaneous services of any other class or group of employees under the provisions of RCW 50.44.030~~).

Sec. 13. Section 19, chapter 3, Laws of 1971 and RCW 50.44.020 are each amended to read as follows: Commencing with benefit years beginning on or after January 28, 1971, services performed subsequent to September 30, 1969 in the employ of this state or any of its wholly owned instrumentalities or jointly owned instrumentalities of this state and another state or this state and one or more of its political subdivisions shall be deemed services in employment unless such services are excluded from the term employment by RCW 50.44.040.

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 RCW 50.44.060: PROVIDED, HOWEVER, That for weeks of unemployment beginning after January 1, 1979, the state shall pay in addition to the full amount of regular and additional benefits so attributable the full amount of extended benefits so attributable: PROVIDED, FURTHER, 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 RCW 50.44.060(2)(a).

Sec. 14. Section 20, chapter 3, Laws of 1971 as amended by section 2, chapter 35, Laws of 1972 ex. sess. and RCW 50.44.030 are each amended to read as follows:

(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 RCW 50.44.040.

Any political subdivision or instrumentality electing coverage under this section 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 RCW 50.44.060.

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.)

(1) All services performed for any political subdivision or instrumentality of one or more political subdivisions of this state or one or more political subdivisions of this state and any other state after December 31, 1977, will be deemed to be services in employment to the extent coverage is not exempted under RCW 50.44.040.

(2) All such units of government shall file, before December 15, 1977, a written registration with the commissioner of the employment security department. Such registration shall specify the manner in which the unit of government will finance the payment of benefits. The elections available to counties, cities and towns are the local government tax, provided for in section 15 of this 1977 amendatory act, or payments in lieu of contributions, as described in RCW 50.44.060. The elections available to other units of government are the contributions plan in chapters 50.24 and 50.29 RCW, or payments in lieu of contributions, described in RCW 50.44.060. Under any election the governmental unit will be charged the full amount of regular and additional benefits attributable to its account plus one-half the amount of extended benefits so attributable: PROVIDED, HOWEVER, That beginning with weeks of unemployment commencing after January 1, 1979, the unit of government which is financing the payment of benefits under the payment in lieu of contributions option shall, in addition to paying the full amount of regular and additional benefits attributable to its account, pay the full amount of extended benefits so attributable.

(3) Any political subdivision or instrumentality of more than one political subdivision of this state is hereby authorized to enter into agreements with other political subdivisions or instrumentalities of more than one political subdivision of this state to form pool accounts for the purpose of making payments in lieu of contributions. These accounts shall be formed and administered in accordance with applicable regulations. The formation of such accounts shall not relieve the governmental unit of the responsibility for making required payments in the event that the pool account does not make the payments.

**NEW SECTION.** Sec. 15. There is added to chapter 3, Laws of 1971 and to chapter 50.44 RCW a new section to read as follows:

(1) Any county, city or town not electing to make payments in lieu of contributions shall pay a 'local government tax.' Taxes paid under this section shall be paid into an administratively identifiable account in the unemployment compensation fund. This account shall be self-sustaining. For calendar years 1978 and 1979 all such employers shall pay local government tax at the rate of one and one-quarter percent of all remuneration paid by the governmental unit for services in its employment. For each year after 1979 each such employer's rate of tax shall be determined in accordance with this section: PROVIDED, HOWEVER, That whenever it appears to the commissioner that the anticipated benefit payments from the account would jeopardize reasonable reserves in this identifiable account the commissioner may at the commencement of any calendar quarter, impose an emergency excess tax of not more than one percent of remuneration paid by the participating governmental units which 'excess tax' shall be paid in addition to the applicable rate computed pursuant to this section until the calendar year following the next September 1.

(2) A reserve account shall be established for each such employer.



(a) The 'reserve account' of each such employer shall be credited with tax amounts paid and shall be charged with benefit amounts charged in accordance with the formula set forth in RCW 50.44.060 as now or hereafter amended except that such employer's account shall be charged for the full amount of extended benefits so attributable for weeks of unemployment commencing after January 1, 1979. Such credits and charges shall be cumulative from January 1, 1978.

(b) After the cutoff date, the 'reserve ratio' of each such employer shall be computed by dividing its reserve account balance as of the computation date by the total remuneration paid during the preceding calendar year for services in its employment. This division shall be carried to four decimal places, with the remaining fraction, if any, disregarded.

(3) A 'benefit cost ratio' for each such employer shall be computed by dividing its total benefit charges during the thirty-six months ending on June 30 by its total remuneration during the three preceding calendar years: PROVIDED, That after August 31 in 1979 each employer's total benefit charges for the twelve months ending on June 30 shall be divided by its total remuneration paid in the last three quarters of calendar year 1978; and after August 31 in 1980 each employer's total benefit charges for the twenty-four months ending June 30 shall be divided by its total remuneration paid in the last three calendar quarters of 1978 and the four calendar quarters of 1979. Such computations shall be carried to four decimal places, with the remaining fraction, if any, disregarded.

(4) For each such employer its benefit cost ratio shall be subtracted from its reserve ratio. One-third of the resulting amount shall be subtracted from its benefit cost ratio. The resulting figure, expressed as a percentage and rounded to the nearest tenth of one percent, shall become its local government tax rate for the following rate year. For the rate year 1980 no tax rate shall be less than 0.6 percent nor more than 2.2 percent. For 1981 no tax rate shall be less than 0.4 percent nor more than 2.6 percent. For years after 1981 no tax rate shall be less than 0.2 percent or more than 3.0 percent. No individual rate shall be increased any more than 1.0 percent from one rate year to the next.

(5) Any county, city or town electing participation under this section at any time after December 15, 1977, shall be assigned a tax rate of one and one-quarter percent of total remuneration for the first eight quarters of the participation.

(6) Each year after 1980 the commissioner shall review the local government tax system and make recommendations to the legislature for changes in said system.

(7) 'Local government tax' shall be deemed to be '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 and the rules and regulations enacted pursuant thereto dealing with assessments, interest, liens, collection procedures and remedies, administrative and judicial review, and the imposition of administrative, civil and criminal sanctions.

**NEW SECTION.** Sec. 16. There is added to chapter 3, Laws of 1971 and to chapter 50.44 RCW a new section to read as follows:

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.

Notwithstanding any of the foregoing subsections, all colleges and universities in this state are 'institutions of higher education'.

Sec. 17. Section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 67, Laws of 1975 1st ex. sess. and RCW 50.44.040 are each amended to read as follows:

The term 'employment' as used in RCW 50.44.010, 50.44.020, and 50.44.030 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) Before January 1, 1978, in the employ of a nongovernmental educational institution, approved or accredited by the state board of education, which is not an 'institution of higher education' (or in the employ of a nongovernmental preschool. A preschool is an organization devoted exclusively to the area of child development training of preschool-age children through an established curriculum of formal classroom and/or laboratory instruction); 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

(6) For a ((hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution)) custodial or penal institution by an inmate of the custodial or penal 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; or

(10) Before January 1, 1978, 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; or

(11) Before January 1, 1978, in the employ of the legislature of the state of Washington by an individual who is compensated pursuant to an agreement which provides for a guaranteed rate of compensation for irregular hours worked; or

(12) In the employ of a nongovernmental preschool which is devoted exclusively to the area of child development training of preschool age children through an established curriculum of formal classroom or laboratory instruction which did not employ four or more individuals on each of some twenty days during the calendar year or the preceding calendar year, each day being in a different calendar week; or

(13) After December 31, 1977, in the employ of the state or any of its instrumentalities or political subdivisions of this state in any of its instrumentalities by an individual in the exercise of duties:

(a) As an elected official;

(b) As a member of the national guard or air national guard; or

(c) In a policymaking position the performance of the duties of which ordinarily do not require more than eight hours per week.

Sec. 18. Section 22, chapter 3, Laws of 1971 as last amended by section 17, chapter 288, Laws of 1975 1st ex. sess. and RCW 50.44.050 are each amended to read as follows:

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: PROVIDED HOWEVER, That benefits based on service in an instructional, research or principal administrative capacity in an ((institution of higher education 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 an institution or institutions of higher education for both such academic years or both such terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term: PROVIDED FURTHER, That benefits based on service in an instructional, research, or principal administrative capacity in an educational institution other than an institution of higher education 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 in an educational institution or institutions other than an institution of higher education for both such academic years or both such terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term: PROVIDED FURTHER, That)) educational institution shall not be paid to an individual for any week of unemployment suffered after December 31, 1977, which commences during the period between two successive academic years or during the period between two terms, successive or otherwise, or during a period of paid sabbatical leave provided in the individual's contract if the individual performs the services in the first of the academic years or terms and there is a contract or a reasonable assurance that the individual will perform services in the capacity for any educational institution in the second of the academic years or terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term. Any employee of a common school district who is ((conclusively)) presumed to ((have been)) be reemployed pursuant to RCW 28A.67.070 shall be deemed to have a contract for the ensuing term.

Benefits shall not be paid based on services in any other capacity for an educational institution (other than an institution of higher education as defined in section 15 of this amendatory act) for any week of unemployment suffered after December 31, 1977, which commences during the period between two successive academic years or during the period between two terms, successive or otherwise, if the individual performs these services in the first of such academic years or terms and there is an individual contract or an

individual written notice to the employee that the individual will perform services for an educational institution (other than an institution of higher education as defined in section 15 of this amendatory act) in the second of the academic years or terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term.

Sec. 19. Section 23, chapter 3, Laws of 1971 and RCW 50.44.060 are each amended to read as follows:

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 RCW 50.44.070, the term 'nonprofit organization' is limited to those organizations described in RCW 50.44.010, and joint accounts composed exclusively of such organizations.

(1) Any nonprofit organization which is, or becomes subject to this title on or after 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))~~ (b) Any nonprofit organization which makes an election in accordance with paragraph~~((s))~~ (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))~~ (c) 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))~~ (d) 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))~~ (e) 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 appellate 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))~~ The 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))~~ (B) 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 ~~((payable))~~ payable to the fund by each employer that is liable for such payments shall be determined in accordance with the provisions of paragraphs (a) ~~((or (b)))~~ through (d) 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. 20.** There is added to chapter 35, Laws of 1945 and to chapter 50.98 RCW a new section to read as follows:

(1) Effective with benefit years beginning on and after January 1, 1978, base year wages shall include remuneration paid for previously uncovered services: PROVIDED, That the maximum benefits payable to an individual as computed for the benefit year will be reduced to the extent that benefits were paid on the basis of identical calendar quarters of the previously uncovered services with respect to a claim filed by the individual under Title II of the Emergency Jobs and Unemployment Assistance Act of 1974. Benefits will be paid, subject to the provisions of this title, based upon the previously uncovered services to the extent that the unemployment compensation trust fund will be reimbursed for the cost thereof by the federal government under section 121 of PL 94-566 and regulations published by the secretary of labor relating thereto.

(2) For the purposes of this section, the term 'previously uncovered services' means services performed before January 1, 1978, which are not employment as defined in Title 50 RCW at any time during the one year period ending December 31, 1975, and which:

(a) Is agricultural labor as defined in RCW 50.04.150 and covered by section 3 of this 1977 amendatory act or domestic services as defined in and covered by RCW 50.04.160; or

(b) Is service performed by an employee of this state or a political subdivision of this state newly covered by this 1977 amendatory act or by an employee of a nonprofit educational institution which is not an institution of higher education as provided in RCW 50.44.040(3).

(3) Any nonprofit organization or governmental entity electing to make payments in lieu of contributions shall not be liable to make payments with respect to benefits paid any individual whose base year wages include wages for previously uncovered services as defined in subsection (2) (a) and (b) of this section to the extent that the unemployment compensation fund is reimbursed for the benefits under section 121 of PL 94-566.

(4) Benefits paid any individual whose base year wages include wages for previously uncovered services as defined in subsection (2) (a) and (b) of this section shall not be charged to the experience rating account of any contribution paying employer to the extent that the unemployment compensation fund is reimbursed for the benefits under section 121 of PL 94-566.

**NEW SECTION.** Sec. 21. There is added to chapter 35, Laws of 1945 and to chapter 50.98 RCW a new section to read as follows:

This 1977 amendatory act has been enacted to meet the requirements imposed by the federal unemployment tax act as amended by PL 94-566. Internal references in any section of this 1977 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 1977 amendatory act.

In view of the importance of compliance of this 1977 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 Language and Commentary to Implement the Unemployment Compensation Amendments of 1976 PL 94-566', published by the United States department of labor, employment and training administration, and that commentary should be referred to when interpreting the provisions of this 1977 amendatory act.

**NEW SECTION.** Sec. 22. There is appropriated to the employment security department from the general fund for the portion of the 1977-1979 biennium ending June 30, 1978, the sum of 1,044,800 dollars, or so much thereof as may be necessary, for the purpose of operating a quality control program similar to the pilot quality program project which ended in 1976, in local employment security offices, and for increased audits and investigations of employers subject to Title 50 RCW.

**NEW SECTION.** Sec. 23. The commissioner is authorized, with the approval of the governor, to collect from the three-tenths of one percent increase in employer contributions provided in section 10 of chapter — (REHB 563), Laws of 1977 1st ex. sess., for the period July 1, 1978, through June 30, 1979, nine and one-tenth of one percent of the additional revenue generated by the three-tenths of one percent increase, or so much thereof as may be deemed appropriate by the commissioner, to be deposited in the administrative contingency fund, one-half of such deposit to be expended for the quality control program funded in section 21 of this amendatory act and one-half for increased audits and investigations of employers subject to Title 50 RCW. In determining the amount of the deposit, if any, authorized by this section, the commissioner and the governor shall consider the impact any such deposit would have on employer contributions required by the federal government for the repayment of a loan from the federal unemployment trust fund.

Sec. 24. Section 60, chapter 35, Laws of 1945 as last amended by section 4, chapter 73, Laws of 1973 and RCW 50.16.010 are each amended to read as follows:

There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund and an administrative contingency fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable. The unemployment compensation fund shall consist of

(1) all contributions and payments in lieu of contributions collected pursuant to the provisions of this title,

(2) interest earned upon any moneys in the fund,

(3) any property or securities acquired through the use of moneys belonging to the fund,

(4) all earnings of such property or securities,

(5) any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended,

(6) all money recovered on official bonds for losses sustained by the fund,

(7) all money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended,

(8) all money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304), and

(9) all moneys received for the fund from any other source.

All moneys in the unemployment compensation fund shall be commingled and undivided.

The administrative contingency fund shall consist of all interest on delinquent contributions collected pursuant to this title after June 20, 1953, all fines and penalties collected pursuant to the provisions of this title, and all sums recovered on official bonds for losses sustained by the fund and sums collected pursuant to section 23 of this amendatory act: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. The amount in this fund (~~in excess of~~) that exceeds the amount deposited pursuant to section 23 of this amendatory act by one hundred thousand dollars on the close of business of the last day of each calendar quarter shall be immediately transferred to this state's account in the unemployment trust fund. Moneys available in the administrative contingency fund shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary for:

(a) The proper administration of this title and no federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(b) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

**NEW SECTION.** Sec. 25. Section 21, chapter 35, Laws of 1945, section 7, chapter 265, Laws of 1951, section 1, chapter 276, Laws of 1953, section 1, chapter 8, Laws of 1953 ex. sess., section 9, chapter 3, Laws of 1971 and RCW 50.04.200 are each repealed on January 1, 1978.

**NEW SECTION.** Sec. 26. The following acts or parts of acts are each repealed:

(1) Section 26, chapter 35, Laws of 1945 and RCW 50.04.250; and

(2) Section 27, chapter 35, Laws of 1945, section 1, chapter 265, Laws of 1951 and RCW 50.04.260.

**NEW SECTION.** Sec. 27. This 1977 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: **PROVIDED**, That sections 6, 12, 14, 15, 16, and 18 of this 1977 amendatory act shall take effect on January 1, 1978."

On page 1, line 9 of the title, after "RCW 50.04.300;" and before "amending" insert "amending section 44, chapter 35, Laws of 1945 as last amended by section 11, chapter 3, Laws of 1971 and RCW 50.12.050; amending section 60, chapter 35, Laws of 1945 as last amended by section 4, chapter 73, Laws of 1973 and RCW 50.16.010;"

On page 2, line 3 of the title after "RCW 50.04.260;" delete the remainder of the title and insert "making an appropriation; providing effective dates; and declaring an emergency."

Signed by Representatives Lux, Chairman; Bond, Ranking Minority Member; Fischer, King, Nelson (Dick), Pruitt, Sanders.

To Committee on Rules for second reading.

### SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2956**, by Committee on Transportation (Originally sponsored by Senator Henry):

Relating to outdoor advertising.

The bill was read the second time.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders and Dunlap:

On page 1, line 6 after "of any" insert "existing"

Mr. Sanders spoke in favor of the amendment, and Mr. Thompson spoke against it.

Mr. Sanders spoke again in favor of the amendment, and it was adopted.

### MOTION

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 2956 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

**ENGROSSED SENATE BILL NO. 2419**, by Senators Woody, Clarke, Francis and Herr:

Excluding law enforcement officers from the prohibition on recording private communications.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 54th Day ex. sess., May 3, 1977.)

Mr. Enbody moved adoption of the committee amendment to page 1, striking everything after the enacting clause and inserting new language.

The Clerk read the following amendment by Representative Smith to the committee amendment:

On page 4, after line 34 insert the following new section:

**NEW SECTION.** Sec. 3. There is added to chapter 9.73 RCW a new section to read as follows:

If the facilities from which a communication is to be intercepted are public, no order shall be issued unless the court determines that there is a special need to intercept communications over such facilities.

If the facilities from which, or the place where, the wire or oral communications are to be intercepted are being used, or are about to be used, or are leased to, listed in the name of, or commonly used by a licensed physician, an attorney-at-law, or practicing clergyman, or is a place used primarily for habitation by a husband and wife, no order shall be issued unless the issuing authority, in addition to the matters provided in section 2 of this 1977 amendatory act, determines that there is a special need to record wire or oral communications over such facilities or in such places. 'Special need' as used in this section shall require, in addition to other matters required in applications for authorizations required by this chapter, a showing that there is probable cause to believe that the licensed physician, attorney-at-law or practicing clergyman is personally engaging in or was engaged in over a period of time as a part of a continuing criminal activity or is committing, has committed or is about to commit a violation of chapter 69.50 RCW or RCW 9A.56.140 though 9A.56.170, or that the public facilities are being regularly used by someone who is committing, has committed, or is about to commit such an offense. No otherwise privileged wire or oral communication

intercepted in accordance with or in violation of, the provisions of this act, shall lose its privileged character."

Renumber the remaining sections consecutively.

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

On motion of Mr. Enbody, the following amendment to the committee amendment was adopted:

On page 4, after line 11 insert the following:

"Any recording or interception of a communication or conversation incident to a lawfully recorded or intercepted communication or conversation pursuant to subsections 2 and 3 of section 2 of this 1977 amendatory act shall be lawful and may be divulged."

Mr. Smith moved adoption of the following amendment to the committee amendment:

On page 4, after line 34 insert the following new section:

"NEW SECTION. Sec. 3. There is added to chapter 9.73 RCW a new section to read as follows:

If the facilities from which a communication is to be intercepted are public, no order shall be issued unless the court determines that there is a special need to intercept communications over such facilities.

If the facilities from which, or the place where, the wire or oral communications are to be intercepted are being used, or are about to be used, or are leased to, listed in the name of, or commonly used by a licensed physician, licensed practicing psychologist, a newsreporter, an attorney-at-law, or practicing clergyman, or is a place used primarily for habitation by a husband and wife, no order shall be issued unless the issuing authority, in addition to the matters provided in section 2 of this 1977 amendatory act, determines that there is a special need to record wire or oral communications over such facilities or in such places. 'Special need' as used in this section shall require, in addition to other matters required in applications for authorizations required by this chapter, a showing that there is a probable cause to believe that the licensed physician, licensed practicing psychologist, a newsreporter, an attorney-at-law, or practicing clergyman is personally engaging in or was engaged in over a period of time as a part of a continuing criminal activity or is committing, has committed or is about to commit a violation of chapter 69.50 RCW or RCW 9A.56.140 through 9A.56.170, or that the public facilities are being regularly used by someone who is committing, has committed, or is about to commit such an offense. No otherwise privileged wire or oral communication intercepted in accordance with or in violation of, the provisions of this act, shall lose its privileged character."

Renumber the remaining section consecutively.

Representatives Smith and Pruitt spoke in favor of the amendment to the committee amendment, and Mr. Leckenby spoke against it.

#### MOTION

On motion of Mr. Zimmerman, further consideration of Engrossed Senate Bill No. 2419 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 2990, by Senator Francis:

Exempting from the gambling laws antique slot machines if not used for gambling purposes.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Warnke, the committee amendments were adopted.

Engrossed Senate Bill No. 2990 as amended by the House was passed to Committee on Rules for third reading.

Mr. King 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 Salatino and Vrooman.

On motion of Mr. Bender, the absent members were excused, and the House proceeded with business under the Call of the House.

**SUBSTITUTE SENATE BILL NO. 2858**, by Committee on Ecology (Originally sponsored by Senators Woody, Fleming and Buffington):

Changing the law on solid waste.

The bill was read the second time and passed to Committee on Rules for third reading.

**SUBSTITUTE SENATE BILL NO. 2634**, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Revising the legislative intent statement on environmental protection of the Columbia River Gorge.

The bill was read the second time and passed to Committee on Rules for third reading.

**SUBSTITUTE SENATE BILL NO. 2638**, by Committee on Social and Health Services (Originally sponsored by Senator Day):

Authorizing certain alternative systems for correcting septic tank failures.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 60th Day ex. sess., May 9, 1977.)

On motion of Mr. Kroidler, the committee amendments were adopted.

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

On page 2, line 8, strike "approval" and insert "advice"

Mr. Barr moved adoption of the following amendments:

On page 2, line 13 strike all of section 5

Renumber the remaining sections consecutively.

On page 2, line 18 strike "5" and insert "4"

Representatives Barr and Newhouse spoke in favor of the amendments, and they were adopted.

Substitute Senate Bill No. 2638 as amended by the House was passed to Committee on Rules for third reading.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3036**, by Committee on Commerce (Originally sponsored by Senators Van Hollebeke and Mardesich):

Authorizing class H licenses for facilities on the premises of domestic wineries.

The bill was read the second time.

On motion of Mr. Newhouse, the following amendment by Representatives Newhouse and Knowles was adopted:

On page 1, line 6 after the enacting clause insert a new section as follows:

\*Section 1. Section 3, chapter 208, Laws of 1971 ex. sess. and RCW 66.04.011 are each amended to read as follows:

'Public place' as defined in this title shall not include (a) Any of those parks under the control of the state parks and recreation commission, nor (b) parks and picnic areas adjacent to and held by the same ownership as licensed brewers and domestic wineries for the consumption of beer and wine produced by the respective brewery or winery, as prescribed by regulation adopted by the board pursuant to chapter 34.04 RCW.\*

Renumber the remaining sections consecutively.

Mr. Fischer moved adoption of the following amendment by Representatives Fischer and Charnley:

On page 2 at line 18 insert:

\***NEW SECTION.** Sec. 2. There is added to chapter 66.24 RCW a new section to read as follows: There shall be a wine retailer's license to be designated as a class L license to sell wine for tasting purposes by the individual glass of not more than two ounces each, for consumption upon the premises only; to be issued to any holder of both class E and class F licenses also selling on such premises wine making supplies at retail and providing bread, cheese, and apples or other fruit to the purchasers of wine for tasting on the premises. The annual fee for a class L license shall be thirty-one dollars and twenty-five cents.\*

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Struthers: "Mr. Speaker, I believe this amendment is beyond the scope and object of the bill. I believe this is the subject of another bill."



## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Struthers, your point is well taken. House Bill No. 1319 is the same subject matter and Rule 32 states in part, '...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.' It appears House Bill No. 1319 is in the House Commerce Committee. The amendment is ruled out of order."

## POINT OF ORDER

Mr. Newhouse: "I'd like you to rule on the fact that House Bill No. 1319 in the Commerce Committee is cut off by our joint cutoff resolution. Therefore it is dead and is not before the House."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "This point has been raised before, Representative Newhouse, on whether or not a bill is still alive. It's pending before the Commerce Committee and it is the decision of the House of Representatives at some time whether or not different action might be taken where the bill could possibly become active."

On motion of Mr. Kreidler, the following amendment by Representatives Kreidler, Keller and Newhouse was adopted:

On page 2, strike lines 3 through 6 and insert: "PROVIDED FURTHER, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW."

## MOTION

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 3036 was deferred, and the bill was ordered placed on the calendar following Engrossed Substitute Senate Bill No. 2593.

SENATE BILL NO. 2675, by Senators Francis and Clarke:

Modifying the penalty for the taking of certain merchandise.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2593, by Committee on Higher Education (Originally sponsored by Senators Sandison and Guess):

Authorizing certain community college programs for military personnel and their dependents, department of defense civilians and their dependents and for U.S. veterans.

The bill was read the second time and passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

## MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

## THIRD READING

SUBSTITUTE SENATE BILL NO. 3109, as amended by the House, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander - by Governor Ray request):

Adopting the 1977-79 operating budget.

The House resumed consideration of the bill on third reading. The Speaker stated the question before the House to be reconsideration of final passage of the bill.

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

Representatives King, O'Brien and McKibbin spoke in favor of passage of the bill, and Representatives Berentson, Polk, Amen and Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on reconsideration of final passage of Substitute Senate Bill No. 3109 as amended by the House, and the bill passed the House by the following vote: Yeas, 53; nays, 43; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Salatino, Vrooman.

Substitute Senate Bill No. 3109 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. King, Substitute Senate Bill No. 3109 as amended by the House was ordered transmitted immediately to the Senate.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

## MESSAGES FROM THE SENATE

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2154, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2169, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2437, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3009, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## THIRD READING

ENGROSSED SENATE BILL NO. 2159, by Senators Woody, Clarke, Day, Sellar and Hayner:

Permitting a counterclaim for malicious prosecution in the principal action.

The bill was read the third time.

## MOTION

Mr. Knowles moved that Engrossed Senate Bill No. 2159 be referred to Committee on Judiciary.

Mr. Knowles spoke in favor of the motion.

Mr. Patterson demanded an electric roll call and the demand was sustained.

Representatives Sherman, Enbody and King spoke in favor of the motion, and Representatives Newhouse, Leckenby and Pardini spoke against it.

#### POINT OF ORDER

Mr. Smith: "I believe Representative Pardini is impugning the motives of the Chairman of the Judiciary Committee."

The Speaker: "I think the point is well taken. Representative Pardini, address yourself to the issue of the motion of whether or not the bill should be rereferred to the committee."

Mr. Pardini continued his remarks against the motion, and Mr. Knedlik spoke in favor of it.

#### POINT OF ORDER

Mr. Newhouse: "Representative Knedlik is impugning the motives of a member of the House in a very skillful way."

The Speaker: "Which member?"

Mr. Newhouse: "Mine."

The Speaker: "That's all right. In the future I would like the members to avoid making any kind of innuendo or personal attacks on other members, skillful or otherwise."

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "This is only an eight-line bill, but I still find it difficult to quite understand, listening to what's been said here. Suppose that I am considering suing my doctor for damages because I don't think he's done the right thing to me and I'm not quite sure of my grounds so I hire an attorney and we proceed to initiate suit against the doctor. It turns out that in the course of pursuit it would seem that the grounds I bring to the suit aren't very sufficient and neither is that of the attorney. Does the bill provide then that the defense attorney can turn around and sue me and my lawyer for damages against the doctor because of unfounded data? What constitutes 'malicious' here?"

Mr. Knowles: "You've hit the nail on the head, which was the exact fear of the members of that committee in the original bill. The definition of malicious prosecution is one of a criminal nature. The House Judiciary Committee attempted to amend it and make it a civil-type definition, which permits the defendant to bring action if he could prove that the plaintiff brought this on allegations that were unfounded and based not on the truth. The second problem that we got into then was the conspiracy situation on it. I have received a great deal of literature from lawyers who are concerned over that, even to the point—and maybe they overemphasize it—to the point where they feel that not only themselves as attorneys, but if a client comes in and makes representations to them that turn out not to be true, that they might themselves become involved in a conspiracy, and might have to, for ethical reasons, withdraw from the case.

Some of the literature I received also indicated that there was a fear on the part of the ability to get the doctors to testify in these cases because again if all of the statements made by the plaintiff in the beginning were untrue, and he knew them to be untrue, even their witnesses might find themselves involved in a conspiracy situation.

In all sincerity we felt the bill needed the committee amendment and we put it on. On the floor of the House the committee amendment was defeated. We can perfect the bill. We can come back with a proper bill and allow defendants to counterclaim in an original action, but I'd rather do it in a proper and legal manner. True, it was sponsored by three attorneys, but it did not go through the Senate Judiciary Committee and I'm sure if it had they would have found the same kind of problems in that committee."

#### MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2159 was deferred and the bill was ordered placed at the top of tomorrow's third reading calendar.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 2221, by Senators Francis, Clarke and Van Hollebeke:

Increasing the number of King County superior court judges.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of the bill.

#### MOTION

Mr. Knowles moved that the rules be suspended, and Engrossed Senate Bill No. 2221 be returned to second reading for the purpose of amendment.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, this bill was up for final passage and defeated and is now under reconsideration. Is it proper to return such a bill to second reading?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The motion has been made to suspend the rules to return the bill to second reading for the purpose of amendment."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Tilly: "Mr. Speaker, if the bill is successful in going back on second reading and is amended, then moved to third reading and final passage, if it fails can it be moved for reconsideration again?"

The Speaker (Mr. O'Brien presiding): "That question isn't before us at this time. The Speaker will rule at that time."

Mr. Knowles spoke in favor of the motion, and Mr. Berentson spoke against it.

#### MOTION

Mr. Polk moved that further consideration of Engrossed Senate Bill No. 2221 be deferred, and that the bill be placed on the third reading calendar for tomorrow immediately following Engrossed Senate Bill No. 2159.

With the consent of the House, Mr. Polk withdrew the motion.

With the consent of the House, Mr. Knowles withdrew his motion to rerefer Engrossed Senate Bill No. 2221 to Committee on Judiciary.

#### MOTIONS

Mr. Knowles moved that further consideration of Engrossed Senate Bill No. 2221 be deferred, and that the bill be placed at the top of tomorrow's third reading calendar.

Mr. Polk moved that the motion by Mr. Knowles be amended and that the bill be placed on tomorrow's third reading calendar immediately following Engrossed Senate Bill No. 2159.

Mr. Bender spoke against the motion by Representative Polk.

#### ROLL CALL

The Clerk called the roll on the motion to amend the Knowles motion and place Engrossed Senate Bill No. 2221 on the third reading calendar following Engrossed Senate Bill No. 2159, and the motion was lost by the following vote: Yeas, 35; nays, 60; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Haley, Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Salatino, Vrooman, Whiteside.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Knowles to defer consideration of Engrossed Senate Bill No. 2221 and place it at the top of tomorrow's third reading calendar.

## ROLL CALL

The Clerk called the roll on the motion to defer consideration of Engrossed Senate Bill No. 2221, and the motion was carried by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Schmitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Shinoda, Struthers, Taller, Whiteside, Winsley.

Not voting: Representatives Leckenby, Salatino, Vrooman.

## MESSAGE FROM THE SENATE

May 16, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2002,  
 SENATE BILL NO. 2384,  
 SENATE BILL NO. 2301,  
 SENATE BILL NO. 2302,  
 SENATE BILL NO. 2314,  
 SENATE BILL NO. 2324,  
 SENATE BILL NO. 2341,  
 SENATE BILL NO. 2344,  
 SENATE BILL NO. 2365,  
 SENATE BILL NO. 2371,  
 SENATE BILL NO. 2416,  
 SENATE BILL NO. 2443,  
 SENATE BILL NO. 2452,  
 SENATE BILL NO. 2484,  
 SUBSTITUTE SENATE BILL NO. 2530,  
 SUBSTITUTE SENATE BILL NO. 2681,  
 SENATE BILL NO. 2769,  
 SENATE BILL NO. 2864,  
 SUBSTITUTE SENATE BILL NO. 2872,  
 SENATE BILL NO. 2927,  
 SENATE JOINT MEMORIAL NO. 109,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SUBSTITUTE HOUSE BILL NO. 27,  
 HOUSE BILL NO. 104,  
 SUBSTITUTE HOUSE BILL NO. 238,  
 HOUSE BILL NO. 445,  
 HOUSE BILL NO. 495,  
 HOUSE BILL NO. 553,  
 HOUSE BILL NO. 582,  
 SUBSTITUTE HOUSE BILL NO. 601,  
 SENATE BILL NO. 2002,  
 SUBSTITUTE SENATE BILL NO. 2125,  
 SENATE BILL NO. 2180,  
 SENATE BILL NO. 2182,  
 SENATE BILL NO. 2222,  
 SENATE BILL NO. 2254,  
 SENATE BILL NO. 2263,  
 SENATE BILL NO. 2295,  
 SENATE BILL NO. 2300,

SENATE BILL NO. 2301,  
 SENATE BILL NO. 2302,  
 SENATE BILL NO. 2314,  
 SENATE BILL NO. 2324,  
 SENATE BILL NO. 2341,  
 SENATE BILL NO. 2344,  
 SENATE BILL NO. 2365,  
 SENATE BILL NO. 2371,  
 SENATE BILL NO. 2384,  
 SENATE BILL NO. 2416,  
 SENATE BILL NO. 2443,  
 SENATE BILL NO. 2452,  
 SENATE BILL NO. 2484,  
 SUBSTITUTE SENATE BILL NO. 2530,  
 SUBSTITUTE SENATE BILL NO. 2681,  
 SENATE BILL NO. 2769,  
 SENATE BILL NO. 2864,  
 SUBSTITUTE SENATE BILL NO. 2872,  
 SENATE BILL NO. 2927,  
 SENATE JOINT MEMORIAL NO. 109,  
 SENATE CONCURRENT RESOLUTION NO. 120.

### THIRD READING

ENGROSSED SENATE BILL NO. 2069, as amended by the House, by Senators Goltz, Morrison, Fleming, Ridder, Sandison and North:

Establishing a youth service corps to promote youth employment and service to local communities.

The bill was read the third time and 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 Engrossed Senate Bill No. 2069 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Becker, Salatino, Vrooman.

Engrossed Senate Bill No. 2069 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. 2241, as amended by the House, by Senators Day, von Reichbauer and Herr:

Permitting the use of Laetrile.

The bill was read the third time and placed on final passage.

Representatives Adams, Wilson, Charnley and Deccio spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Fischer.

Mr. Fischer: "Due to the fact that the FDA won't be involved in the testing and checking of this substance, is there any provision in the bill that provides for quality control?"

Mr. Adams: "Yes, we have in the bill that the Drug Association or the Pharmacists' Association must determine whether it is a pure Laetrile or not."

Mr. Fischer: "How about adulterants? Do they have the testing procedures to determine that?"

Mr. Adams: "That's up to them."

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Adams, my concern is that inasmuch as Laetrile has not been approved by the Federal Drug Administration, it is illegal for the drug to be shipped interstate. That being the case, how are people going to obtain this drug?"

Mr. Adams: "It would have to be manufactured within the state."

Mr. Pardini: "It would have to be manufactured within this state, approved by the Board of Pharmacy, as Representative Fischer has asked, for quality control? It would only be available within this state?"

Mr. Adams: "Yes, that's right."

Representatives Douthwaite and Haley spoke against passage of the bill, and Representatives Hurley (Margaret) and Warnke spoke in favor of it.

Mr. Adams spoke again in favor of the bill.

Mr. King demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2241 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Dunlap, Erickson, Haley, Newhouse, Pardini.

Not voting: Representatives Leckenby, Patterson, Salatino, Vrooman.

Engrossed Senate Bill No. 2241 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. King, the House adjourned until 9:30 a.m., Wednesday, May 18, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 18, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Gaines, Leckenby, Moreau and Salatino. Representatives Gaines, Leckenby and Salatino were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Hebblethwaite and Larri Palmer. Prayer was offered by Father William Treacy 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.

## MESSAGES FROM THE SENATE

May 17, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 27,  
HOUSE BILL NO. 104,  
SUBSTITUTE HOUSE BILL NO. 238,  
HOUSE BILL NO. 445,  
HOUSE BILL NO. 495,  
HOUSE BILL NO. 553,  
HOUSE BILL NO. 582,  
SUBSTITUTE HOUSE BILL NO. 601,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 161,  
HOUSE BILL NO. 683,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2522,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2055, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2129, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.



May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2570, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3017, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 17, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 68, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Woody, Newschwander, Day.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Ehlers, the House granted the request of the Senate for a conference on Engrossed Substitute House Bill No. 68.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2522, by Committee on Transportation (Originally sponsored by Senator Henry):

Relating to transportation taxation.

To Committee on Transportation

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3036, by Committee on Commerce (Originally sponsored by Senators Van Hollebeke and Mardesich):

Authorizing class H licenses for facilities on the premises of domestic wineries.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 68th Day ex. sess., May 17, 1977.)

Mr. Berentson moved adoption of the following amendment:

On page 3, after section 2 add a new section as follows:

"Sec. 3. Section 2, chapter 13, Laws of 1970 ex. sess. as last amended by section 1, chapter 245, Laws of 1975 1st ex. sess. and RCW 66.24.420 are each amended to read as follows:

(1) The class H license shall be issued in accordance with the following schedule of annual fees:

(a) The annual fee for said license, if issued to a club, whether inside or outside of incorporated cities and towns, shall be three hundred thirty dollars.

(b) The annual fee for said license, if issued to any other class H licensee in incorporated cities and towns, shall be graduated according to the population thereof as follows:

Incorporated cities and towns of less than 10,000 population; fee \$550.00;

Incorporated cities and towns of 10,000 and less than 100,000 population; fee \$825.00;

Incorporated cities and towns of 100,000 population and over; fee \$1,100.00.

(c) The annual fee for said license when issued to any other class H licensee outside of incorporated cities and towns shall be: one thousand one hundred dollars; this fee shall be prorated according to the calendar months, or major portion thereof, during which the licensee is open for business, except in case of suspension or revocation of the license.

(d) Where the license shall be issued to any corporation, association or person operating a bona fide restaurant in an airport terminal facility providing service to transient passengers with more than one place where liquor is to be dispensed and sold, such license shall be issued upon the payment of the annual fee, which shall be a master license and shall permit such sale within and from one such place. Such license may be extended to additional places on the premises at the discretion of the board and a duplicate license may be issued for each such additional place: PROVIDED, That the holder of a master license for a restaurant in an airport terminal facility shall be required to maintain in a substantial manner at least one place on the premises for preparing, cooking and serving of complete meals, and such food service shall be available on request in other licensed places on the premises: PROVIDED, FURTHER, That an additional license fee of twenty-five percent of the annual master license fee shall be required for such duplicate licenses.

(e) Where the license shall be issued to any corporation, association, or person operating dining places at publicly owned civic centers with facilities for sports, entertainment, and conventions, with more than one

place where liquor is to be dispensed and sold, such license shall be issued upon the payment of the annual fee, which shall be a master license and shall permit such sale within and from one such place. Such license may be extended to additional places on the premises at the discretion of the board and a duplicate license may be issued for each such additional place: **PROVIDED**, That the holder of a master license for a dining place at such a publicly owned civic center shall be required to maintain in a substantial manner at least one place on the premises for preparing, 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.

**(f)** Where the license shall be issued to any corporation, association or person operating more than one building containing dining places at privately owned facilities which are open to the public and where there is a continuity of ownership of all adjacent property, such license shall be issued upon the payment of an annual fee which shall be a master license and shall permit such sale within and from one such place. Such license may be extended to the additional dining places on the property at the discretion of the board and a duplicate license may be issued for each additional place: **PROVIDED** That the holder of the master license for the dining place shall not offer alcoholic beverages for sale, service, and consumption at the additional place unless food service is available at both the location of the master license and the duplicate license: **PROVIDED FURTHER**, That an additional license fee of twenty dollars shall be required for such duplicate licenses.

(2) The board, so far as in its judgment is reasonably possible, shall confine class H licenses to the business districts of cities and towns and other communities, and not grant such licenses in residential districts, nor within the immediate vicinity of schools, without being limited in the administration of this subsection to any specific distance requirements.

(3) The board shall have discretion to issue class H licenses outside of cities and towns in the state of Washington. The purpose of this subsection is to enable the board, in its discretion, to license in areas outside of cities and towns and other communities, establishments which are operated and maintained primarily for the benefit of tourists, vacationers and travelers, and also golf and country clubs, and common carriers operating dining, club and buffet cars, or boats.

(4) The total number of class H licenses issued in the state of Washington by the board shall not in the aggregate at any time exceed one license for each fifteen hundred of population in the state, determined according to the last available federal census.

(5) Notwithstanding the provisions of subsection (4) of this section, the board shall refuse a class H license to any applicant if in the opinion of the board the class H licenses already granted for the particular locality are adequate for the reasonable needs of the community.

Representatives Berentson and Warnke spoke in favor of the amendment, and it was adopted.

On motion of Mr. Warnke, the following amendment to the title by Representatives Newhouse and Knowles was adopted:

On page 1, line 1 of the title after "control;" insert "amending section 3, chapter 208, Laws of 1971 ex. sess. and RCW 66.04.011;"

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

On page 1, line 4 after "66.28.010;" strike "and" and after "66.44.310" on line 5 insert "; and amending section 2, chapter 13, Laws of 1970 ex. sess. as last amended by section 1, chapter 245, Laws of 1975 1st ex. sess. and RCW 66.24.420"

Engrossed Substitute Senate Bill No. 3036 as amended by the House was passed to Committee on Rules for third reading.

**ENGROSSED SENATE BILL NO. 2111**, by Senators Talley, Henry, Lewis and Sellar:

Doubling the amount of reimbursement allowed from counties to the Washington state association of county officials.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 49th Day ex. sess., April 28, 1977.)

Mr. Thompson moved adoption of the committee amendment, and spoke against its adoption.

The committee amendment was not adopted.

Engrossed Senate Bill No. 2111 was passed to Committee on Rules for third reading.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3098**, by Committee on Financial Institutions and Insurance (Originally sponsored by Senator Herr):

Excluding certain information from driving record abstracts furnished to insurance companies.

The bill was read the second time.

Mr. Hansen moved adoption of the following amendment:

On page 2, after line 31 add the following:

"Sec. 2. Section 46.08.110, chapter 12, Laws of 1961 as amended by section 3, chapter 32, Laws of 1967 and RCW 46.01.250 are each amended to read as follows:

The director shall have the power and it shall be his duty upon request and payment of the fee as provided herein to furnish under seal of the director certified copies of any records of the department, except those for confidential use only; PROVIDED, That the director shall not release to any insurance company or rating bureau the record of any conviction or bail forfeiture of a person for operating a motor vehicle on a highway posted at fifty-five miles per hour at a speed ten miles per hour or less above such posted limit. The director shall charge and collect therefor the actual cost to the department. Any funds accruing to the director of motor vehicles under this section shall be certified and sent to the state treasurer and by him deposited to the credit of the highway safety fund.

**NEW SECTION.** Sec. 3. There is added to chapter 48.30 RCW a new section to read as follows:

It shall be an unfair practice for an insurer to cancel, refuse to renew, increase premiums, or charge higher premiums for an automobile insurance policy based on any conviction or bail forfeiture for operating a motor vehicle on a highway posted at fifty-five miles per hour at a speed ten miles per hour or less above such posted limit."

#### POINT OF ORDER

Mr. Douthwaite: "I'd like the Speaker to rule regarding Rule 32, that the amendment which Representative Hansen is offering is not substantially the same as House Bill No. 89."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that the amendment just takes part of House Bill No. 89—just one section of it. I'm going to rule the amendment is in order."

Representatives Hansen, Deccio, Patterson, Haley and Conner spoke in favor of the amendment, and Representatives Douthwaite, Grier, Chandler and Taller spoke against it.

#### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Fuller.

Mr. Fuller: "On April 4th we passed House Bill No. 1132. House Bill No. 1132 provides separate driving records for commercial and private purposes. If we cause this to discriminate in one instance, what is your logic that we should not discriminate in another instance?"

Mr. Douthwaite: "Representative Fuller, I agree there is no difference in the basic logic, but we are talking right now about Representative Hansen's amendment which is talking about changing the speed limit from 55 to 65, which I think is a different issue. The issue in front of us at this point—"

#### POINT OF ORDER

Mr. Hansen: "Representative Douthwaite has inferred that I'm trying to raise the speed limit. I am not trying to raise the speed limit in any way. I think what we're doing is defining the difference between hazardous driving and energy waste and that's all we're speaking to in this amendment. It is not raising the speed limit and I object strongly for him to infer that I am raising the speed limit."

The Speaker (Mr. O'Brien presiding): "Representative Douthwaite, will you hold your comments to the amendment and the question asked of you."

Mr. Douthwaite: "The question was asked if this is basically different from House Bill No. 1132 as regards the desire to be exempted from insurance company records when they are driving on emergency missions—firemen, policemen and state patrol officers—and in that respect the bills are similar, but in the respect of the amendment before us and whether it is or is not changing the speed limit, I think it's a different question."

Mr. Barnes spoke against the amendment.

Mr. Charnley demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hansen to Engrossed Substitute Senate Bill No. 3098, and the amendment was not adopted by the following vote: Yeas, 42; nays, 48; not voting, 8.

Voting yea: Representatives Adams, Barr, Bauer, Berentson, Boldt, Clayton, Clemente, Conner, Deccio, Enbody, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hurley G. S., Hurley M., Knedlik, Lux, Lysen, Martinis, May, McCormick, Newhouse, Oliver, Owen, Patterson, Polk, Pruitt, Sanders, Schmitten, Shinoda, Struthers, Tilly, Valle, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Becker, Bender, Blair, Bond, Burns, Chandler, Charette, Charnley, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Flanagan, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knowles, Lee, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Paris, Pearsall, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman.

Not voting: Representatives Gaines, Kreidler, Leckenby, Maxie, Moreau, Pardini, Salatino, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 3098 was passed to Committee on Rules for third reading.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2956**, by Committee on Transportation (Originally sponsored by Senator Henry):

Relating to outdoor advertising.

The bill was read the second time.

Mr. Thompson moved adoption of the following amendment by Representatives Thompson and Lee:

On page 1, line 4 after "section 1." strike all material down through section 2, line 26 and insert:

"(1) On and after the effective date of this 1977 amendatory act, and until July 1, 1978 no provision of state law or of any local charter or ordinance which requires removal of an existing sign or billboard for reasons other than protection of the public health or safety shall be of any force or effect.

(2) On and after the effective date of this 1977 amendatory act and until July 1, 1978 all amortization procedures leading to the removal of a sign or billboard shall be suspended, and the date upon which such sign is to be removed shall be extended for a like period of time.

(3) The purpose of this section is to preserve the status quo insofar as possible in order to allow for a detailed examination of the issues involved in the mandatory removal of existing signs and billboards. It is the intent of the legislature that no existing rights of any person shall be diminished, nor are any new rights created by this 1977 amendatory act.

**NEW SECTION.** Sec. 3. (1) The committee on local government and the committee on transportation are authorized and directed to undertake a study of mandatory sign removal, which study shall include consideration of the rights of private property owners, the need for compensation of private property owners affected by mandatory sign removal laws or ordinances, the form of such compensation, and equitable means by which compensation may be made.

(2) The committees shall complete their study of this issue and submit proposed legislation to the chief clerk of the house not later than January 15, 1978."

Representatives Thompson, Charnley and Smith spoke in favor of the amendment, and Representatives Charette, Dunlap, Berentson and Hansen spoke against it.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Thompson, your first subsection would hold in abeyance local charters and ordinances for a time. Would it be possible for signs to be erected while these ordinances were not in effect and then have to be compensated for later, so that it would be possible for more signs to be erected during the time of the effectiveness of that subsection? That would then be more expensive to the local government."

Mr. Thompson: "It would be possible, as I stated during my opening remarks, to continue to erect signs without feeling the impact of new restrictive regulations during the period of this moratorium. I would not like to judge in advance the outcome of our study with regard to this issue, and I don't propose to in answering this question."

Mr. Lux spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Thompson and Lee to Engrossed Substitute Senate Bill No. 2956, and the amendment was not adopted by the following vote: Yeas, 31; nays, 59; not voting, 8.

Voting yea: Representatives Becker, Blair, Burns, Charnley, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Grimm, Gruger, Hawkins, King, Kreidler, Lee, Lux, Lysen, Nelson D., North, Pruitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Williams, Zimmerman.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Clemente, Craswell, Dunlap, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitten, Struthers, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson.

Not voting: Representatives Barnes, Conner, Gaines, Leckenby, Moreau, Salatino, Winsley, and Mr. Speaker.

Mr. Blair moved adoption of the following amendment by Representatives Blair and Lux:

On page 1, line 23 insert the following new sections:

**NEW SECTION.** Sec. 2. There is added to chapter 82.08 RCW a new section to read as follows:

Notwithstanding any other provision of law to the contrary, the taxes imposed pursuant to RCW 82.08 and 82.14 shall be applied to the retail sale of outdoor advertising. For purposes of this section the term 'retail sale of outdoor advertising' shall mean all instances where a seller makes available to a buyer for a selling price the use of any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard or other means which is designed, intended or used to advertise or inform and which is visible from any highway, road or street.

**NEW SECTION.** Sec. 3. There is added to chapter 47.42 RCW a new section to read as follows:

There is hereby created the outdoor advertising compensation reimbursement account in the state treasury. Into such account shall be placed the proceeds of the tax imposed pursuant to RCW 82.08 applied against the retail sale of outdoor advertising. The funds within the outdoor advertising compensation reimbursement account shall be paid to cities, towns, and counties in accordance with the provisions of section 4 of this act.

**NEW SECTION.** Sec. 4. There is added to chapter 47.42 RCW a new section to read as follows:

The director of the planning and community affairs agency or its successor shall develop in cooperation with representatives of the association's general purpose units of local government, and with representatives of the outdoor advertising industry, pursuant to RCW 34.04, a formula for the allocation of the proceeds of the outdoor advertising compensation reimbursement account. Such proceeds shall be allocated to such cities and towns which have paid compensation for the removal of any sign pursuant to a locally-adopted resolution or ordinance. Funds in this account shall be disbursed by the state treasurer to such cities, towns and counties at the direction of the director of the planning and community affairs agency or its successor in accordance with such allocation formula."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mrs. McCormick: "I believe this amendment is beyond the scope and object of the bill."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that the subject matter of the proposed amendment is different than the subject matter appearing in the bill. Under Rule 32 is says, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment...' Therefore, on that basis, it appears this amendment is out of order. It provides for a retail sales tax on outdoor advertising. I would rule the amendment is out of order."

Mr. Charnley moved adoption of the following amendment:

On page 1, beginning with line 27, strike all of section 3.

Mr. Charnley spoke in favor of the amendment, and Mrs. McCormick spoke against it.

Mr. Charnley spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley to Engrossed Substitute Senate Bill No. 2956, and the amendment was not adopted by the following vote: Yeas, 43; nays, 47; not voting, 8.

Voting yea: Representatives Amen, Barnes, Becker, Blair, Boldt, Burns, Charnley, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Greengo, Gruger, Hawkins, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Maxie, Nelson D., North, Owen, Pruit, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Williams, Zimmerman.

Voting nay: Representatives Adams, Barr, Bauer, Bender, Berentson, Bond, Chandler, Charette, Clayton, Clemente, Deccio, Dunlap, Erak, Fancher, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Haley, Hanna, Hansen, Heck, Hughes, Hurley M., Keller, Knowles, Martinis, May, McCormick, McKibbin, Nelson G. A., O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Struthers, Vrooman, Walk, Warnke, Whiteside, Wilson.

Not voting: Representatives Gaines, Leckenby, Moreau, Newhouse, Salatino, Tilly, Winsley, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2956 was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2419, by Senators Woody, Clarke, Francis and Herr:

Excluding law enforcement officers from the prohibition on recording private communications.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 68th Day ex. sess., May 17, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment to page 4, line 34, by Representative Smith.

Mr. Smith spoke in favor of the amendment, and it was adopted.

On motion of Mr. Enbody, the following amendment to the committee amendment was adopted:

On page 5, after line 2 add the following new section:

**\*NEW SECTION.** Sec. 4. There is added to chapter 9.73 RCW a new section to read as follows:

(1) Within 30 days after the expiration of an authorization or an extension or renewal thereof issued pursuant to subsection (2) of section . . . (RCW 9.73.090(2)) of this act, the issuing or denying judge shall make a report to the administrator for the courts stating that:

- (a) An authorization, extension or renewal was applied for;
- (b) The kind of authorization applied for;
- (c) The authorization was granted as applied for, was modified, or was denied;
- (d) The period of recording authorized by the authorization and the number and duration of any extensions or renewals of the authorization;
- (e) The offense specified in the authorization or extension or renewal of authorization;
- (f) The identity of the person authorizing the application and of the investigative or law enforcement officer and agency for whom it was made; and
- (g) The character of the facilities from which or the place where the communications were to be recorded.

(2) In addition to reports required to be made by applicants pursuant to federal law, all judges of the superior court authorized to issue authority pursuant to this act shall make annual reports on the operation of this act to the administrator for the courts. The reports by the judges shall contain (a) the number of applications made; (b) the number of authorizations issued; (c) the respective periods of such authorizations; (d) the number and duration of any renewals thereof; (e) the crimes in connection with which the conversations were sought; (f) the names of the applicants; and (g) such other and further particulars as the administrator for the courts may require.

The chief justice of the supreme court shall annually report to the governor and the legislature on such aspects of the operation of this act as he deems appropriate including any recommendations he may care to make as to legislative changes or improvements to effectuate the purposes of this act and to assure and protect individual rights."

On motion of Mr. Smith, the following amendment to the committee amendment was adopted:

On page 3, line 41 after "property" strike the comma and insert "and one of the parties to the communication or conversation has given prior consent to the interception, recording or disclosure then"

Mr. Enbody moved adoption of the following amendment to the committee amendment:

On page 5, after line 2 add the following new section:

**\*NEW SECTION.** Sec. 7. Each application for an authorization to record communications or conversations pursuant to section 1 (RCW 9.73.090) of this act shall be made in writing upon oath or affirmation and shall state:

- (1) The authority of the applicant to make such application;
- (2) The identity and qualifications of the investigative or law enforcement officers or agency for whom the authority to record a communication or conversation is sought and the identity of whoever authorized the application;
- (3) A particular statement of the facts relied upon by the applicant to justify his belief that an authorization should be issued, including:
  - (a) The identity of the particular person, if known, committing the offense and whose communications or conversations are to be recorded;
  - (b) The details as to the particular offense that has been, is being, or is about to be committed;
  - (c) The particular type of communication or conversation to be recorded and a showing that there is probable cause to believe such communication will be communicated on the wire communication facility involved or at the particular place where the oral communication is to be recorded;
  - (d) The character and location of the particular wire communication facilities involved or the particular place where the oral communication is to be recorded;

(e) A statement of the period of time for which the recording is required to be maintained, if the character of the investigation is such that the authorization for recording should not automatically terminate when the described type of communication or conversation has been first obtained, a particular statement of facts establishing probable cause to believe that additional communications of the same type will occur thereafter;

(f) A particular statement of facts showing that other normal investigative procedures with respect to the offense have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous to employ.

(4) Where the application is for the renewal or extension of an authorization, a particular statement of facts showing the results thus far obtained from the recording, or a reasonable explanation of the failure to obtain such results;

(5) A complete statement of the facts concerning all previous applications, known to the individual authorizing and to the individual making the application, made to any court or prosecuting attorney for authorization to record a wire or oral communication involving any of the same facilities or places specified in the application or involving any person whose communication is to be intercepted, and the action taken by the court on each application; and

(6) Such additional testimony or documentary evidence in support of the application as the judge may require."

Renumber the remaining sections consecutively.

Mr. Enbody spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Enbody yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "With your amendment, and the bill in general as amended, how would that affect the federal wire tapping?"

Mr. Enbody: "I don't believe it would."

Mr. Hurley (George): "Not in any respect?"

Mr. Enbody: "Correct."

Mr. Hurley (George): "In other words, the CIA or any other organization could continue to go ahead and do anything they desire to do under whatever federal regulations exist?"

Mr. Enbody: "It's my understanding that if the informations that are filed are out of one of our state superior courts and authorization is made pursuant to this bill, they are going to have to meet these requirements."

The amendment to the committee amendment was adopted.

On motion of Mr. Smith, the following amendment to the committee amendment was adopted:

On page 5, after line 2, add the following new section:

\*NEW SECTION. Sec. 8. Within a reasonable time but not later than thirty days after the termination of the period of the authorization or of extensions or renewals thereof, or the date of the denial of an authorization applied for under section 1 (RCW 9.73.090) of this act, the issuing authority shall cause to be served on the person named in the authorization or application for an authorization, and such other parties to the recorded communications as the judge may in his discretion determine to be in the interest of justice, an inventory which shall include:

(1) Notice of the entry of the authorization or the application for an authorization which has been denied under section 1 (RCW 9.73.090) of this act;

(2) The date of the entry of the authorization or the denial of an authorization applied for under section 1 (RCW 9.73.090) of this act;

(3) The period of authorized or disapproved recording; and

(4) The fact that during the period wire or oral communications were or were not recorded.

The issuing authority, upon the filing of a motion, may in its discretion make available to such person or his attorney for inspection such portions of the recorded communications, applications and orders as the court determines to be in the interest of justice. On an ex parte showing of good cause to the court the serving of the inventory required by this section may be postponed."

Renumber the remaining sections consecutively.

Mr. Smith moved adoption of the following amendment to the committee amendment:

On page 2, line 22 insert the following section:

"Sec. 2. Section 4, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.060 are each amended to read as follows:

Any person who, directly or by means of a detective agency or any other agent, violates the provisions of ((RCW 9.73.030)) this chapter shall be subject to legal action for damages, to be brought by any other

person claiming that a violation of this statute has injured his business, his person, or his reputation. A person so injured shall be entitled (~~(in addition to other injuries;)~~) to recover for (1) actual damages, (2) mental pain and suffering endured by him on account of violation of the provisions of this chapter ((RCW 9.73-030)) or (3) to liquidated damages computed at the rate of \$100.00 a day for each day of violation, or \$1,000, whichever is higher, and to a reasonable attorney's fee and other costs of litigation."

Renumber the remaining sections consecutively.

Representatives Smith and Hanna spoke in favor of the amendment to the committee amendment, and it was adopted.

On motion of Mr. Smith, the following amendment by Representatives Smith and Enbody to the committee amendment was adopted:

On page 5, after line 2 add the following new section:

"NEW SECTION. Sec. 9. There is added to chapter 9.73 RCW a new section to read as follows:

In addition to reports and records authorized by law, the prosecuting attorney for each county shall maintain records of all recordings authorized by them pursuant to section 1(3) of this 1977 amendatory act (RCW 9.73.090(3)). Such records shall include the name of the person requesting and the reasons for the request and the informations, indictments or other results of any authorized recording. Copies of such records shall be filed annually with the attorney general, who shall then report annually to the legislature on this phase of the operation of chapter 9.73 RCW."

Renumber the remaining section consecutively.

### MOTION FOR RECONSIDERATION

Mr. Newhouse, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Smith to page 4, line 34 to the committee amendment was adopted.

Mr. Newhouse spoke in favor of the motion.

### POINT OF ORDER

Mr. Smith: "I think Representative Newhouse is impugning the motives of the offerers of these amendments."

The Speaker (Mr. O'Brien presiding): "Hold your comments to the amendment, Representative Newhouse."

Mr. Newhouse continued his comments in favor of the motion, and Representatives Thompson and Smith spoke against it.

Mr. Newhouse spoke again in favor of the motion, and the motion was lost.

Mr. Enbody moved adoption of the following amendment by Representatives Smith and Enbody to the committee amendment:

On page 5, following line 2 add a new section as follows:

"NEW SECTION. Sec. 10. The provisions of this act shall expire on June 20, 1979 unless extended by law for an additional fixed period of time."

Representatives Enbody and Smith spoke in favor of the amendment to the committee amendment, and Mr. Newhouse spoke against it.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Enbody and Smith to the committee amendment to Engrossed Senate Bill No. 2419, and the amendment was adopted by the following vote: Yeas, 57; nays, 34; not voting, 7.

Voting yea: Representatives Adams, Bauer, Bender, Blair, Boldt, Burns, Charette, Charney, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Berentson, Bond, Chandler, Clayton, Conner, Craswell, Deccio, Fancher, Flanagan, Fuller, Gilleland, Haley, Knedlik, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Dunlap, Gaines, Leckenby, Moreau, North, Salatino, and Mr. Speaker.

Mr. Knedlik moved adoption of the following amendment to the committee amendment:

On page 2, after line 22 add the following:

"(5) Communications or conversations of persons reasonably believed to be insurance adjustors or law enforcement personnel, in the performance of their duties, are not, for the purposes of this section, private.



Recordings of such communications or conversations, recorded, or disclosed under this section shall not be inadmissible under RCW 9.73.050.

Mr. Knedlik spoke in favor of the amendment, and Representatives King and Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Knedlik to the committee amendment to Engrossed Senate Bill No. 2419, and the amendment was not adopted by the following vote: Yeas, 10; nays, 75; not voting, 13.

Voting yea: Representatives Barnes, Blair, Enbody, Eng, Knedlik, Lysen, McKibbin, Nelson D., Pruitt, Sommers.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Ehlers, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Maxie, May, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Smith, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Charnley, Douthwaite, Dunlap, Gaines, Hanna, Heck, Leckenby, Martinis, Moreau, Salatino, Shinpoch, Wilson, and Mr. Speaker.

The committee amendment as amended was adopted.

#### MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2419 was deferred until after consideration of Engrossed Substitute Senate Bill No. 2143.

SENATE BILL NO. 2493, by Committee on Higher Education (Originally sponsored by Senators Sandison, Donohue, Goltz, Benitz, Odegaard, Guess and Scott):

Making miscellaneous changes in community college law.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 60th Day ex. sess., May 9, 1977.)

Ms. Erickson moved adoption of the committee amendment.

Mr. Enbody moved adoption of the following amendment to the committee amendment:

On page 1, line 24 strike the material after "PROVIDED" down through "district" on line 31 and insert "Such review processes and procedures shall be completed within twelve months from the effective date of this act for faculty members whose contracts are renewed for the next school year, and who have completed at least three consecutive years of satisfactory full time service in such program; and within eighteen months for those who have completed two consecutive years of satisfactory full time service in such program; and within twenty-four months for those who have completed one year of satisfactory full time service in such program"

Mr. Enbody spoke in favor of the amendment to the committee amendment, and Representatives Erickson, Conner and Burns spoke against it.

#### POINT OF INQUIRY

Ms. Erickson yielded to question by Mr. Fuller.

Mr. Fuller: "Would this tenure carry over into the other parts of the community college system? I mean if for some reason Garrett Hines were closed, would they then have the right to bump somebody out of another program in another community college?"

Ms. Erickson: "No, because this applies only to those people we've been talking about who are at the correctional center. It has no bearing on those other people at that college."

The amendment was not adopted.

The committee amendment was adopted.

On motion of Ms. Erickson, the committee amendment to the title was adopted.

Senate Bill No. 2493 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2104, by Committee on Natural Resources (Originally sponsored by Senators Peterson, Talley and Wanamaker):

Authorizing salmon license limitations.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Mr. Martinis, the committee amendment was adopted.

On motion of Mr. Martinis, the following amendments were adopted:

On page 3, beginning with the colon on line 29 strike all the material down to and including "act" on line 32

On page 3, line 29 after "transferable" insert ": PROVIDED, That in order to qualify for licenses in calendar years 1979 and 1980, a vessel must prove by means of a valid fish receiving document that food fish were caught and landed by such vessel in this state or in another state during the previous calendar year, or during the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought"

On page 4, beginning on line 17 strike all of section 12 and renumber the remaining sections consecutively.

On page 1, line 6 of the title strike "making an appropriation;"

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 2104 as amended by the House was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill, and Mr. Pardini spoke against it.

Mr. Martinis spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2104 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 7; not voting, 14.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Amen, Bond, Flanagan, Haley, Oliver, Pardini, Struthers.

Not voting: Representatives Berentson, Clayton, Douthwaite, Dunlap, Ehlers, Gaines, Leckenby, Moreau, Polk, Salatino, Sommers, Tilly, Zimmerman, and Mr. Speaker.

Engrossed Second Substitute Senate Bill No. 2104 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 SUBSTITUTE SENATE BILL NO. 2143, by Committee on Judiciary (Originally sponsored by Senators Bottiger, Gaspard and Wojahn):

Increasing the number of superior court judges in Spokane, Pierce, Kitsap, Benton-Franklin, Cowlitz and San Juan-Island judicial districts.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 49th Day ex. sess., April 28, 1977.)

Mr. Smith moved adoption of the committee amendment.

Mr. Smith moved adoption of the following amendment to the committee amendment:

On page 1, line 11 strike "twenty-nine" and insert "~~((twenty-nine))~~ thirty-four"

#### POINT OF ORDER

Mr. Pardini: "The amendment proposes to raise the number of judges in King County to thirty-four and it is the subject matter of another bill before the House today."

The Speaker (Mr. O'Brien presiding): "Rule 32 does state that 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. Your point of order would be pretty well taken except for the fact that Engrossed Senate Bill No. 2221 has an emergency clause to take effect immediately, and the bill before us takes effect July 1, 1977, so there is a difference between the two in the timing."

Mr. Pardini: "Mr. Speaker, the thrust of this amendment is to raise the number of judges from twenty-nine to thirty-four and Senate Bill No. 2221 does the same thing."

The Speaker (Mr. O'Brien presiding): "The timing is the only difference there is and it is held that's a substantial difference. I'm going to rule the amendment is in order."

Mr. Smith spoke in favor of the amendment, and it was adopted.

On motion of Mr. Smith, the following amendment to the committee amendment was adopted:

On page 2, following line 23 insert a new section as follows:

"NEW SECTION. Sec. 5. There is appropriated from the general fund the sum of \$446,000 or such as may be necessary for the biennium ending June 30, 1979."

Renumber the remaining section consecutively.

The committee amendment as amended was adopted.

Mr. Smith moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Smith, the following amendment to the committee amendment was adopted:

On line 3 of the title after "RCW 2.08.061" insert "; establishing an appropriation"

The committee amendment to the title as amended was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2143 as amended by the House was placed on final passage.

#### MOTION

On motion of Mr. King, further consideration of Engrossed Substitute Senate Bill No. 2143 as amended by the House was deferred and the bill was ordered placed at the top of the third reading calendar for today.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGE FROM THE SENATE

May 18, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2014,  
SENATE BILL NO. 2055,  
SUBSTITUTE SENATE BILL NO. 2129,  
SUBSTITUTE SENATE BILL NO. 2154,  
SUBSTITUTE SENATE BILL NO. 2169,  
SENATE BILL NO. 2437,  
SENATE BILL NO. 2570,  
SENATE BILL NO. 3009,  
SENATE BILL NO. 3017,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2014,  
SENATE BILL NO. 2055,  
SUBSTITUTE SENATE BILL NO. 2129,  
SUBSTITUTE SENATE BILL NO. 2154,  
SUBSTITUTE SENATE BILL NO. 2169,

SENATE BILL NO. 2437,  
 SENATE BILL NO. 2570,  
 SENATE BILL NO. 3009,  
 SENATE BILL NO. 3017.

## SECOND READING

ENGROSSED SENATE BILL NO. 2419:

The House resumed consideration of the bill on second reading.

### MOTION FOR RECONSIDERATION

Mr. Smith, having voted on the prevailing side, moved that the House reconsider the vote by which the committee amendment as amended was adopted.

The motion was carried.

The Clerk read the following amendment to the committee amendment by Representative Smith:

On page 5, after line 2 insert the following new section:

\*NEW SECTION. Sec. 4. Any aggrieved person in any trial, hearing, or proceeding in or before any court or other authority of this state may move to suppress the contents of any recorded wire or oral communication, or evidence derived therefrom, on the grounds that:

- (1) The communication was unlawfully intercepted;
- (2) The order of authorization is insufficient on its face;
- (3) The recording was not made in conformity with the order of authorization.

The motion shall be made at least ten days before the trial, hearing, or proceeding unless there was no opportunity to make the motion or the moving party was not aware of the grounds for the motion. The court, upon the filing of such motion by the aggrieved person, may in its discretion make available to the aggrieved person or their counsel for inspections such portions of the recorded communication, or evidence derived therefrom, as the court determines to be in the interests of justice. If the motion is granted, the contents of the recorded wire or oral communication, or evidence derived therefrom, shall not be received in evidence in the trial, hearing, or proceeding.

In addition to any other right to appeal, the state shall have the right to appeal from an order granting a motion to suppress if the official to whom the order authorizing the recording was granted shall certify to the court that the appeal is not taken for purposes of delay. The appeal shall be taken within the time specified by the rules of court and shall be diligently prosecuted."

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

Mr. Smith moved adoption of the following amendment to the committee amendment:

On page 1, line 30 after "(2)" strike "Communications" and insert "Notwithstanding the provisions of subsection (1) of this section, wire communications"

Representatives Smith and Newhouse spoke in favor of the amendment to the committee amendment, and it was adopted.

On motion of Mr. Smith, the following amendment to the committee amendment was adopted:

On page 1, line 40 after "conversation" strike "are not, for the purposes of this section, private" and insert ", may be recorded with the consent of one party to the conversation"

The committee amendment as amended was adopted.

Mr. Smith moved adoption of the committee amendment to the title of the bill.

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

On line 2 of the title after "9.73.030" insert "; prescribing an expiration date"

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

On page 1, line 2 of the title after "RCW 9.73.030" insert "; amending chapter 93, Laws of 1967 ex. sess. and RCW 9.73.060"

The committee amendment to the title as amended was adopted.

### MOTION

Mr. Newhouse moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2419 as amended by the House be placed on final passage.

Mr. Newhouse spoke in favor of the motion, and Mr. Charette spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Senate Bill No. 2419 as amended by the House on final passage, and the motion was lost by the following vote: Yeas, 45; nays, 48; not voting, 5.

Voting yea: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Conner, Craswell, Douthwaite, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hurley M., Lee, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, Owen, Pearsall, Sherman, Shinpoch, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Deccio, Gaines, Leckenby, Lux, Salatino.

Engrossed Senate Bill No. 2419 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2453, by Senators Donohue, Clarke and Henry:

Modifying restrictions on small loan companies.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Eng, the committee amendment to page 6, line 25 was adopted.

Mr. Eng moved adoption of the committee amendment to page 10.

Representatives Eng, Pardini, Polk and Hurley (Margaret) spoke in favor of the committee amendment, and Representatives Hurley (George), Bender and Lux spoke against it.

#### POINT OF INQUIRY

Mr. Hurley (George) yielded to question by Mr. Boldt.

Mr. Boldt: "What about this amendment?"

Mr. Hurley (George): "Representative Boldt, I think the words—"

#### POINT OF ORDER

Mr. Nelson (Gary): "Mr. Speaker, I think on previous occasions, with your wisdom behind that gavel, you have ruled these kinds of questions out of order. It simply leaves it wide open to avoid the rules that we've established in this body. If Representative Boldt has that kind of question he wants to pose, I think you should rule accordingly that he should walk across the aisle and ask Representative Hurley the question."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Boldt, you'd have to phrase your question a little differently than what you said."

Mr. Boldt: "Regarding this amendment, what about it?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "You are out of order. That question will just open up to another speech. Representative Hurley has already spoken once and our rules state rather clearly that the members only have the right to speak once after the fiftieth day. You've already had your opportunity, Representative Hurley, unless someone would want to do it with a motion."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Boldt: "May I yield to Representative Hurley?"

The Speaker (Mr. O'Brien presiding): "Not in that manner."

## MOTION

Mr. Boldt moved that Representative Hurley (George) be allowed to speak an additional three minutes.

## POINT OF INFORMATION

Mr. Bender: "Does this require two-thirds or just a majority of the House to pass?"

The Speaker (Mr. O'Brien presiding): "A majority of the House."

Mr. Pardini spoke against the motion, and Mr. Boldt spoke in favor of it.

The motion was carried.

Mr. Hurley (George) spoke against adoption of the committee amendment.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, Representative George Hurley is rambling on other subjects not connected to this bill and he's beginning to digress to speeches that have taken place over the past several days. I think you should bring him back to order and restrict his remarks to this bill."

The Speaker (Mr. O'Brien presiding): "Representative Polk, maybe your comments are well taken and maybe they are not. The Speaker allowed Representative Pardini to take off a little while ago and he covered a lot of ground."

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, I think you should be enforcing these rules more even handedly and we're great believers in the rules and think they should protect the majority's position. You should be enforcing all these rules. I'm sorry you didn't call Representative Pardini to order if he was digressing. Certainly two wrongs don't make a right."

The Speaker (Mr. O'Brien presiding): "Representative Polk, the Speaker is being very tolerant also to listen to you at this time. Representative Hurley, continue."

Mr. Hurley (George) continued his remarks in opposition to the committee amendment.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Berentson.

Mr. Berentson: "Representative Pardini, have you talked to the Supervisor of Banking regarding this amendment? What did he say about it?"

Mr. Pardini: "The Supervisor of Banking testified against this amendment in the Senate committee and also in the House committee. I have before me a letter from the Supervisor of Banking pointing out—and I quote, 'This amendment is not serving the best interests of the citizens of the state of Washington for the following reasons: It would be difficult to enforce administratively throughout the entire industry—'"

The Speaker (Mr. O'Brien presiding): "It would appear to me, Representative Pardini, you are going beyond the question, too. You've already had the opportunity to speak once. Hold your comments."

Mr. Boldt demanded an electric roll call vote on the amendment, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the Committee on Financial Institutions' amendment to page 10 of Engrossed Senate Bill No. 2453, and the amendment was adopted by the following vote: Yeas, 57; nays, 33; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Eng, Erickson, Fancher, Flanagan, Fuller, Gilleland, Greengo, Grier, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Knedlik, Kreidler, Lee, Martinis, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Teller, Thompson, Tilly, Waik, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Fischer, Fortson, Gallagher, Gruger, Hanna, Hurley G. S., Kilbury, King, Knowles, Lux, Lysen, Maxie, May, Nelson D., North, O'Brien, Pruitt, Sherman, Shipoch, Valle, Vrooman, Williams.

Not voting: Representatives Charette, Deccio, Gaines, Haley, Leckenby, Salatino, Warnke, and Mr. Speaker.

Mr. Hurley (George) moved adoption of the following amendment by Representatives Hurley (George) and Lux:

On page 6, line 23 strike "and one-half"

Mr. Hurley (George) spoke in favor of the amendment, and Representatives Blair and Barnes spoke against it.

Mr. Hurley (George) spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hurley (George) and Lux to Engrossed Senate Bill No. 2453, and the amendment was not adopted by the following vote: Yeas, 27; nays, 63; not voting, 8.

Voting yea: Representatives Becker, Bender, Burns, Charnley, Clemente, Douthwaite, Ehlers, Eng, Fischer, Gruger, Hurley G. S., Kilbury, King, Lux, Lysen, May, McKibbin, Nelson D., North, Pruitt, Sherman, Shinpoch, Sommers, Valle, Vrooman, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Conner, Craswell, Dunlap, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Knedlik, Knowles, Kreidler, Lee, Martinis, Maxie, McCormick, Moreau, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Tally, Thompson, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charette, Deccio, Enbody, Erak, Gaines, Hanna, Leckenby, Salatino.

Engrossed Senate Bill No. 2453 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2211, by Senators Talley, Bausch and Marsh (by Department of Natural Resources request):

Authorizing commission on harbor lines to change harbor lines.

The bill was read the second time.

The Clerk read the following amendment by Representative Nelson (Dick):

On page 1, line 31 insert the following:

"The commission on harbor lines shall be subject to and meet the requirements of the provisions of chapter 34.04 RCW, the Administrative Procedures Act, whenever the commission seeks to change, relocate, or reestablish harbor lines."

With the consent of the House, Mr. Nelson (Dick) withdrew the amendment.

Engrossed Senate Bill No. 2211 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3093, by Committee on Transportation (Originally sponsored by Senator Henry):

Establishing procedures for the construction of state ferries.

The bill was read the second time.

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 3093 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 3002, by Senators McDermott and Bluechel:

Providing for the creation and management of a scenic river system.

The bill was read the second time.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Shinoda:

On page 3, line 30 after "propagation." strike all material down through and including "enterprises." on line 1, page 4.

Mr. Martinis spoke in favor of the amendment, and Mr. Charnley spoke against it.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Martinis, on line 3 beginning with where your amendment offers to strike the language, it reads, 'Where excessively heavy recreational use of any river in the system threatens...' Could you tell us when in the future do you anticipate that excessively heavy recreational use will arise on this particular river?"

Mr. Martinis: "It is probably some time way in the future. That's the purpose of this amendment. We're going to give somebody the authority that they can do this and who is determining this? We're not setting the criteria for what the use is or what the impact in the area is. We're telling them that when they feel that it is being overused that they may do it. I think that is the time the Legislature should be the one that sets the standards for what overuse of a recreational area is. Breeder ponds are in this area. The Department of Game just put in a whole new steelhead rearing pond system on the Skykomish River. I'm concerned."

Mr. Douthwaite: "Let me get a little more specific. Would you say ten or fifteen or twenty years? Or fifty? What would you estimate?"

Mr. Martinis: "Representative Douthwaite, I almost regard that type of question as a facetious question because neither you nor I nor anyone here in this room can make that determination."

Representatives Douthwaite and Chandler spoke against the amendment, and Mr. Shinoda spoke in favor of it.

Mr. Martinis spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Martinis and Shinoda to page 3, line 30 of Engrossed Senate Bill No. 3002, and the amendment was adopted by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Berentson, Bond, Charette, Clayton, Clemente, Conner, Craswell, Dunlap, Enbody, Erak, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Keller, Kilbury, Knedlik, Martinis, May, McCormick, Moreau, Nelson G. A., North, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., King, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, McKibbin, Nelson D., Newhouse, O'Brien, Pardini, Pruitt, Sherman, Shipoch, Sommers, Thompson, Valle, Warnke, Williams, Zimmerman.

Not voting: Representatives Deccio, Gaines, Leckenby, Salatino.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Shinoda:

On page 7, beginning with "or to" on line 15 strike all the material down to and including "resources" on line 17 and insert "nor shall anything in this act be construed to interfere with the powers, duties, and authority of the department of fisheries or the department of game to regulate, manage, conserve, and provide for the harvest of fish or wildlife within any area designated as being in the state's scenic river system: PROVIDED, That no hunting shall be permitted in any state park"

Mr. Martinis spoke in favor of the amendment, and Mr. Charnley spoke against it.

Mr. Martinis spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Martinis and Shinoda to page 7 of Engrossed Substitute Senate Bill No. 3002, and the amendment was adopted by the following vote: Yeas, 64; nays, 31; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Bond, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Enbody, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Heck, Hurley G. S., Keller, Kilbury, Knedlik, Lee, Lysen, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Blair, Boldt, Burns, Chandler, Charnley, Douthwaite, Ehlers, Eng, Fischer, Gruger, Hanna, Hawkins, Hughes, Hurley M., King, Knowles, Kreidler, Lux, Maxie, McKibbin, Nelson D., Paris, Pruitt, Sherman, Shipoch, Sommers, Thompson, Valle, Williams, Winsley.

Not voting: Representatives Gaines, Leckenby, Salatino.



Engrossed Senate Bill No. 3002 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2172, by Senators Talley, Day and Buffington:

Licensing acupuncturists.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 13th Day ex. sess., March 23, 1977.)

On motion of Mr. Adams, the committee amendments were adopted.

On motion of Mr. Haley, the following amendment by Representatives Haley, Adams, Kreidler and Whiteside was adopted:

On page 1, line 24 after section 1 add a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 18.71A RCW a new section to read as follows:

(1) The performance of acupuncture for the purpose of demonstration, therapy, or the induction of analgesia by a person licensed under this chapter shall be within the scope of practice authorized: PROVIDED, HOWEVER, That a person licensed to perform acupuncture under this section shall only do so under the direct supervision of a licensed physician.

(2) The board shall determine the qualifications of a person authorized to perform acupuncture under subsection (1) of this section. In establishing a procedure for certification of such practitioners the board shall consider a license or certificate which acknowledges that the person has the qualifications to practice acupuncture issued by the government of the Republic of China (Taiwan), the Peoples' Republic of China, British Crown Colony of Hong Kong, Korea, Great Britain, France, the Federated Republic of Germany (West Germany), Italy, Japan, or any other country or state which has generally equivalent standards of practices of acupuncture as determined by the board as evidence of such qualification.

(3) As used in this section 'acupuncture' means the insertion of needles into the human body by piercing the skin of the body for the purpose of relieving pain, treating disease, or to produce analgesia, or as further defined by rules and regulations of the board."

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

On page 1, line 1 of the title after "acupuncture;" insert "adding a new section to chapter 18.71A RCW:"

Engrossed Senate Bill No. 2172 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2040, by Committee on Ways and Means (Originally sponsored by Senators Fleming, North and Talley):

Establishing a program to improve jails.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Hanna, the committee amendments were adopted.

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Oliver.

Mr. Oliver: "I can see where we are going from 75% funding to full funding. Has anyone declared any type of an impact in terms of projections for the next ten years on this jail and what facilities are contemplated? How much do you think this will cost the state?"

Mr. Hanna: "Our Appropriations Committee has the bill for the bonds for the entire jail funding. It's \$63 million."

Mr. Oliver: "Which the state would now be obligated for 100% and the counties somewhat over 25%?"

Mr. Hanna: "Within the total Jail Commission plan there is some local contribution and go ahead has already taken place on this. Essentially \$63 million does represent full state funding."

On motion of Mr. Hanna, the following amendments by Representatives Hanna, Shinpoch and Deccio were adopted:

On page 3, beginning on line 21 strike "prescribed by the commission" and insert "adopted pursuant to section 5(1)(a) and section 7(1) of this 1977 amendatory act"

On page 5, beginning on line 6 strike ", which shall be adopted on or before December 31, 1978"

On page 7, line 19 after "shall be" beginning with "adopted" strike the remainder of the subsection and insert "proposed by the commission to the legislature no later than December 31, 1978. If the legislature fails to adopt or modify such standards by April 1, 1979, they shall take effect on July 1, 1979 without legislative approval and shall be complied with no later than October 1, 1979. Subsequent standards shall be prescribed by the commission and submitted to the Legislative Budget Committee for review. If the Legislative Budget Committee disapproves such standards, they shall not have effect."

On page 36, line 3 strike "fifty" and insert "five hundred and fifty-one"

Engrossed Second Substitute Senate Bill No. 2040 as amended by the House was passed to Committee on Rules for third reading.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Ehlers, Charette and Nelson (Gary) as conferees on Engrossed Substitute House Bill No. 68.

#### MOTION

On motion of Mr. Bender, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

May 17, 1977

HOUSE BILL NO. 631, Prime Sponsor: Representative Smith, revising state inheritance tax laws. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick).

To Committee on Rules for second reading.

May 17, 1977

HOUSE BILL NO. 692, Prime Sponsor: Representative Smith, pertaining to gift taxes. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 8 after "\$500,000" insert ", but not over \$1,000,000"

On page 5, after line 9 insert:

"Over \$1,000,000                      \$86,150 plus 12% of excess over \$1,000,000"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Erickson, Hurley (George), Kilbury.

To Committee on Rules for second reading.

May 17, 1977

HOUSE BILL NO. 1144, Prime Sponsor: Representative Charnley, reforming state tax structure. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick).

To Committee on Rules for second reading.

May 16, 1977

SUBSTITUTE SENATE BILL NO. 2161, Prime Sponsor: Senator Donohue, transferring funds in the community college bond retirement fund and reserve account to the general fund. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Chandler, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Thompson, Valle, Vrooman, Zimmerman.

To Committee on Rules for second reading.

May 16, 1977

SENATE BILL NO. 2328, Prime Sponsor: Senator Donohue, authorizing the chief of the Washington state patrol to determine proposed rates of compensation for patrol officers. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Boldt, Chandler, Charette, Deccio, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Thompson, Valle, Vrooman, Warnke, Zimmerman.

To Committee on Rules for second reading.

May 16, 1977

**SUBSTITUTE SENATE BILL NO. 2702,** Prime Sponsor: Senator Donohue, including state collected school property taxes for distribution during the school district fiscal year. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Boldt, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Thompson, Vrooman, Zimmerman.

To Committee on Rules for second reading.

May 16, 1977

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2851,** Prime Sponsor: Senator Walgren, revising state employees' insurance and health care. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Boldt, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Thompson, Vrooman, Zimmerman.

To Committee on Rules for second reading.

May 16, 1977

**SUBSTITUTE SENATE BILL NO. 3010,** Prime Sponsor: Senator Donohue, making an appropriation to the tort claims revolving fund. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Chandler, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Polk, Taller, Thompson, Vrooman, Zimmerman.

To Committee on Rules for second reading.

May 18, 1977

**SECOND SUBSTITUTE SENATE BILL NO. 3067,** Prime Sponsor: Senator Walgren, establishing the Washington State Register. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. The legislature finds that a need exists to adequately inform the public on the conduct of the people's business by state government, and that providing adequate notice of the affairs of government enables the public to actively participate in the conduct of state government. The legislature further finds that the promulgation of rules by state agencies has a direct effect on the ability of the people to conduct their personal affairs and knowledgeably deal with state government. It is therefore the intent and purpose of sections 2 and 12 of this 1977 amendatory act and of this chapter to require the publication of a state register by which the public will be adequately informed of the activities of government and where they may actively participate in the conduct of state government and influence the decision making process of the people's business.

**NEW SECTION.** Sec. 2. There is added to chapter 1.08 RCW a new section to read as follows:

The statute law committee, in addition to the other responsibilities enumerated in this chapter, shall cause to be published the Washington State Register as created in section 3 of this 1977 amendatory act. The statute law committee and/or the code reviser may adopt such rules as are necessary for the effective operation of such service.

**NEW SECTION.** Sec. 3. There is hereby created a state publication to be called the Washington State Register, which shall be published on a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rule, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof shall take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in

which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010; and

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification.

**NEW SECTION.** Sec. 4. All material included in the register pursuant to section 3 of this 1977 amendatory act shall be prepared by the appropriate agency or official and transmitted to the code reviser in accordance with rules adopted by the code reviser prescribing the style, format, and numbering system therefor, the date of receipt for inclusion within a particular register, and such other requirements as may be necessary for the orderly and efficient publication of the register and the Washington Administrative Code.

**NEW SECTION.** Sec. 5. The publication of any information in the Washington State Register shall be deemed to be official notice of such information, and publication in the register of such information and materials shall be certified to be the true and correct copy of such rules or other information as filed in the code reviser's office. The code reviser shall certify, to any court of record, the publication of any notice or information, and attached to such certification shall be the agency's declaration of compliance with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and this chapter.

**NEW SECTION.** Sec. 6. For the purposes of the state register and this chapter, an institution of higher education, as defined in RCW 28B.19.020(1), shall be considered to be a state agency.

Sec. 7. Section 3, chapter 237, Laws of 1967 as amended by section 17, chapter 250, Laws of 1971 ex. sess. and RCW 34.04.025 are each amended to read as follows:

(1) Prior to the adoption, amendment, or repeal of any rule, each agency shall:

(a) (~~Give at least twenty days notice of its intended action by filing the~~) File notice thereof with the code reviser (,mailing the) in accordance with section 3(1) of this 1977 amendatory act for publication in the state register, and mail such notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings (, and giving public notice as provided in chapter 42.30 RCW, as now or hereafter amended). Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon(,);

(b) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral hearing must be granted if requested by twenty-five persons, by a governmental subdivision or agency, or by an association having not less than twenty-five members. The agency shall consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

(2) No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an agency giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

(3) No rule hereafter adopted is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 34.04.030, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of section 3(1) of this 1977 amendatory act, of this section, or of RCW 34.04.030, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

Sec. 8. Section 3, chapter 234, Laws of 1959 and RCW 34.04.030 are each amended to read as follows:

(1) If the agency finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, the agency may dispense with such requirements and adopt the rule or amendment as an emergency rule or amendment. The agency's finding and a brief statement of the reasons for its finding shall be incorporated in the emergency rule or amendment as filed with the office of the code reviser under RCW 34.04.040. An emergency rule or amendment shall not remain in effect for longer than ninety days after filing. This section does not relieve any agency from compliance with any law requiring that its rules be approved by designated persons or bodies before they become effective.

(2) The emergency rule published in the register is solely to inform the public of its adoption, and nothing in this section shall be construed to prevent the implementation of the rule upon its filing with the code reviser in accordance with RCW 34.04.040(2).

Sec. 9. Section 5, chapter 234, Laws of 1959 and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall, as soon as practicable after the effective date of this chapter, compile and index all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised as often as necessary and at least once every two years.

(2) The code reviser shall publish a monthly (~~bulletin~~) register in which he shall set forth the text of all rules filed during the preceding month excluding rules in effect upon the adoption of this chapter.

(3) The code reviser may, in his discretion, omit from the (~~bulletin~~) register or the compilation, rules, the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if such (~~bulletin~~) register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(4) (~~Bulletins~~) Registers and compilations shall be made available, in written form to state elected officials (of this state) whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request (~~and~~), to county boards of law library trustees, and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and to other persons at a price fixed by the code reviser (~~to cover publication and mailing costs~~).

(5) The board of law library trustees of each county shall keep and maintain a complete and current set of (~~bulletins~~) registers and compilations for use and inspection as provided in RCW 27.24.060.

(6) Judicial notice shall be taken of rules filed and published as provided in RCW 34.04.040 and this section.

Sec. 10. Section 3, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.030 are each amended to read as follows:

(1) Prior to the adoption, amendment, or repeal of any rule adopted under this chapter, each institution, college, division, department, or official thereof exercising rule-making authority delegated by the governing board or the president, shall:

(a) (~~Give at least twenty days' notice of its intended action by filing the~~) File notice thereof with the code reviser (and by mailing) in accordance with section 3 (1) of this 1977 amendatory act for publication in the state register, and mail the notice to all persons who have made timely request of the institution or related board for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon(;;);

(b) Provide notice to the campus or standard newspaper of the institution involved and to a newspaper of general circulation in the area at least seven days prior to the date of the rule-making proceeding. The notice shall state the time when, place where, and manner in which interested persons may present their views thereon and the general subject matter to be covered(;-);

(c) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. An opportunity for oral hearing must be granted if requested by twenty-five persons. The institution shall consider fully all written and oral statements respecting the proposed rule.

(2) No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an institution of higher education giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

(3) No rule adopted under this chapter is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 28B.19.040, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of section 3(1) of this 1977 amendatory act, of this section, or of RCW 28B.19.040, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

(~~(3)~~) (4) When twenty days notice of intended action to adopt, amend, or repeal a rule has not been filed with the code reviser, as required by subsection (~~(3)~~(4)) (2) of this section, the code reviser shall not publish such rule, and such rule shall not be effective for any purpose.

Sec. 11. Section 4, chapter 57, Laws of 1971 ex. sess. as amended by section 4, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.19.040 are each amended to read as follows:

If the institution of higher education finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and the observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, the institution may dispense with such requirements and adopt the rule or amendment as an emergency rule or amendment. The institution's finding and a brief statement of the reasons for its finding shall accompany the emergency rule or amendment as filed with the code reviser. An emergency rule or amendment shall not remain in effect for longer than ninety days after filing.

Emergency rules shall become effective upon filing with the code reviser unless an effective date is specified in the rule. The emergency rule published in the state register is solely to inform the public of its adoption, and nothing in this section shall be construed to prevent the implementation of the rule upon such filing.

**NEW SECTION.** Sec. 12. There is added to chapter 42.30 RCW a new section to read as follows:

State agencies which hold regular meetings shall file with the code reviser a schedule of the time and place of such meetings on or before January 1st of each year for publication in the Washington state register. Notice of any change from such meeting schedule shall be published in the state register for distribution at least twenty days prior to the rescheduled meeting date.

For the purposes of this section "regular" meetings shall mean recurring meetings held in accordance with a periodic schedule declared by statute or rule.

NEW SECTION. Sec. 13. There is hereby appropriated to the statute law committee from the general fund the sum of seventy-three thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this 1977 amendatory act.

NEW SECTION. Sec. 14. Section 1 and sections 3 through 6 of this 1977 amendatory act shall constitute a new chapter in Title 34 RCW.

NEW SECTION. Sec. 15. This 1977 amendatory act may be known as the Washington State Register Act of 1977.

NEW SECTION. Sec. 16. This 1977 amendatory act shall take effect January 1, 1978.

NEW SECTION. Sec. 17. If any provision of this 1977 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 11 of the title, after "sections;" insert "making an appropriation;"

Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Sanders, Sommers, Struthers.

To Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. Bender, HOUSE BILL NO. 744 was rereferred from Committee on Rules to Committee on Natural Resources.

On motion of Mr. Bender, the House adjourned until 9:30 a.m., Thursday, May 19, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 19, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Leckenby and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Valentine and Jerry Windishar. Prayer was offered by Father William Treacy 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.

## MESSAGE FROM THE GOVERNOR

May 18, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 18, 1977, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 294: Authorizing historical buildings to be an exception to antipollution laws.

HOUSE BILL NO. 657: Removing the state auditor from membership on state retirement board.

HOUSE BILL NO. 816: Giving tenants a priority for purchasing highway land.

SUBSTITUTE HOUSE BILL NO. 839: Making the leasehold excise tax inapplicable to certain property within certain historical sites.

HOUSE BILL NO. 878: Establishing and defining five commissioner PUD's and three commissioner PUD's.

HOUSE BILL NO. 879: Allowing driving on certain highway shoulders to allow other vehicles to pass.

Sincerely,  
Joe Zaspel, Legislative Assistant.

## MESSAGES FROM THE SENATE

May 18, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2818,  
REENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO.  
116,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 18, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2069, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 18, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2166, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 18, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2286, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

May 18, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 314 with the following amendments:

On page 1, line 12 after "assistant" insert "level A"

On page 1, line 19 after "board;" insert a new subsection as follows:

"(5) 'Pharmacy assistant level B' means a person certified by the board to perform limited functions in the pharmacy;"

Renumber the remaining subsection consecutively.

On page 1, line 23 after "the" insert "classification and"

On page 2, line 2 after "training" strike ", including appropriate college level courses as determined by the board"

On page 2, line 16 after "assistants" insert "at a uniform annual fee to be determined by the board"

On page 2, line 34 after "chapter" and before the period insert ": PROVIDED, That no pharmacist may supervise more than one person performing level A pharmacy assistant duties and functions: PROVIDED FURTHER, That in pharmacies operating in connection with facilities licensed pursuant to chapters 70.41 or 71.12 RCW, whether or not situated within the said facility, the ratio of pharmacists to persons performing level A pharmacy assistant duties and functions shall be as follows: In the preparation of medicine or other materials used by patients within the facility, one pharmacist supervising no more than three persons performing level A pharmacy assistant duties and functions; in the preparation of medicine or other materials dispensed to persons not patients within the facility, one pharmacist supervising not more than one person performing level A pharmacy assistant duties and functions" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Adams moved that the House do concur in the Senate amendments to Substitute House Bill No. 314.

Representatives Adams and Newhouse spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 314 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 314 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 2; not voting, 17.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Fischer.

Not voting: Representatives Charnley, Enbody, Eng, Fancher, Grimm, Hanna, Hurley G. S., Knedlik, Leckenby, Lux, McKibbin, North, Pardini, Pearsall, Salatino, Williams, Winsley.



Substitute House Bill No. 314 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.

#### STATEMENT FOR THE JOURNAL

I would like to be recorded as voting "Aye" on Substitute House Bill No. 314 as amended by the Senate.

EUGENE V. LUX, 35th District.

#### SENATE AMENDMENT TO HOUSE BILL

May 18, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 376 with the following amendment:

On page 1, line 16 after "hooks" insert "PROVIDED, HOWEVER, That the Washington department of fisheries may adopt regulations for the waters west of the coast of the state of Washington that are consistent with the regulations adopted by the United States department of commerce for the waters three miles to two hundred miles west of the coast of the state of Washington pursuant to the National Fisheries Conservation and Management Act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendment to House Bill No. 376.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 376 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 376 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 9; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Clayton, Clemente, Deccio, Dunlap, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Charette, Conner, Craswell, Erak, Hawkins, Nelson D., Owen, Thompson.

Not voting: Representatives Charnley, Douthwaite, Fancher, Grimm, Hanna, Leckenby, Lux, Pardini, Pearsall, Williams.

House Bill No. 376 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

May 16, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 327 with the following amendment:

On page 6, line 7 after "who" insert "after thirty days' written notice" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendment to Substitute House Bill No. 327.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 327 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 327 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 21; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Fischer, Fuller, Gaines, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Pardini, Paris, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bond, Conner, Craswell, Ehlers, Erickson, Fancher, Fortson, Gilleland, Greengo, Haley, Hansen, Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Struthers, Wilson.

Not voting: Representatives Charnley, Flanagan, Grimm, Leckenby, Pearsall, Smith, Williams.

Substitute House Bill No. 327 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

May 16, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 691 with the following amendment:

On page 2, line 6 after "greater" insert "less any assessments paid to the commission pursuant to this chapter since the then most recent call report date" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Eng, the House concurred in the Senate amendment to Engrossed House Bill No. 691.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 691 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 691 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charnley.

Not voting: Representatives Grimm, Leckenby, Williams.

Engrossed House Bill No. 691 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.

## MESSAGE FROM THE SENATE

May 17, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Hawkins moved that the House refuse to recede from its amendments to Engrossed Substitute Senate Bill No. 2032, and ask the Senate for a conference thereon.

Representatives Hawkins and Newhouse spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

May 17, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2196, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Knowles, the House receded from its amendments to Senate Bill No. 2196.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Senate Bill No. 2196 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2196 without the House amendments, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Charnley, Eng, Grimm, Leckenby, Lysen, Pardini, Williams.

Senate Bill No. 2196 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.

## REPORT OF CONFERENCE COMMITTEE

May 18, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 2156, permitting certain corporations of health care professionals to act as self-insurers against liability, have had the same under consideration, and we report that we are unable to agree. We recommend that the House amendment to page 1, line 16 be not adopted and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Day, Woody; Representatives Douthwaite, Haley, Grier.

## MOTION

On motion of Mr. Douthwaite, the committee was granted the powers of Free Conference on Senate Bill No. 2156.

## MESSAGE FROM THE SENATE

May 18, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2668, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Knowles, the House refused to recede from its amendments to Engrossed Senate Bill No. 2668, and asked the Senate for a conference thereon.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2818, by Committee on Energy and Utilities (Originally sponsored by Senator Walgren):

Authorizing local governments and agencies to lend credit for conservation of energy purposes.

To Committee on Energy and Utilities

REENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 116, by Committee on Energy and Utilities (Originally sponsored by Senators Bottiger, Lewis, Bausch and Gaspard):

Permitting the lending of state and local government credit for energy conservation services and materials.

To Committee on Energy and Utilities

## REPORTS OF STANDING COMMITTEES

May 18, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2873, Prime Sponsor: Senator Goltz, revising laws relating to legislative ethics. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 25 beginning with "chapter" strike all material down to and including "other" on line 26 and insert "~~(chapter 42-21 RCW, as now or hereafter amended, or of)~~ any ~~((other))~~"

On page 4, line 10 after the "The" strike "boards jointly" and insert "~~((boards jointly))~~ joint board"

On page 6, line 22 after "house" strike "of representatives"

On page 7, line 33 after "board" insert ", at least half of whom shall be lay members."

On page 8, line 14 beginning with "the following" strike all material down to and including "disqualified" on line 21 and insert "any case: (i) involving persons whom such members cannot judge impartially, in which cases they shall disqualify themselves; or (ii) where the person charged files an affidavit of prejudice against a member or members whom he believes is unable to make an impartial judgment, in which case the disqualification shall be automatic: PROVIDED, That only one such affidavit may be filed in a single investigation"

Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Grimm, Heck, Hughes.

To Committee on Rules for second reading.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3093, by Committee on Transportation (Originally sponsored by Senator Henry):

Establishing procedures for the construction of state ferries.

The bill was read the second time.

## MOTION

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 3093 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

SENATE BILL NO. 2439, by Senators Buffington, Henry and Guess:

Extending the obligation of urban arterial trust funds for one more year.

The bill was read the second time.

Mrs. North moved adoption of the following amendment:

On page 1, beginning on line 10 strike "~~((1977))~~ 1978" and insert "1977"

Representatives North, Wilson, Hansen, Patterson, Charnley and Douthwaite spoke in favor of the amendment, and Representatives Blair, Pruitt, Conner, Pardini and Taller spoke against it.

Mrs. North spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Conner, as I understand it this would expire June 30, 1978. The way I read the bill it says, 'This continued obligation shall be terminated if the sponsoring city earlier provides written notice of withdrawal or abandonment. . . ' If the City of Seattle neither withdraws nor abandons the project, does that mean they could come back and ask for another extension? Would the committee expect to give them that extension?"

Mr. Conner: "If they were to, as the language says, withdraw or abandon, then that money would be free to do exactly what the amendment is talking about, and I assume there would not be support of the committee. It was only through the strong feelings of the legislators from that district that we did go along in approving this extension. I would doubt there would be any sympathy for any further extension. We've already done it several times and bent over backwards in attempting to assist, but we feel that they should be given one last opportunity to see if it is possible to get the various jurisdictions together."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative North to Senate Bill No. 2439, and the amendment was not adopted by the following vote: Yeas, 40; nays, 49; not voting, 9.

Voting yea: Representatives Adams, Amen, Becker, Bond, Charnley, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Haley, Hansen, Hawkins, Hurley M., Kilbury, Knowles, Lee, May, McCormick, Nelson G. A., North, Oliver, Paris, Patterson, Sanders, Schmitt, Sherman, Shipoch, Sommers, Struthers, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Barnes, Barr, Bauer, Bender, Blair, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Conner, Enbody, Eng, Erak, Fancher, Fischer, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Kreidler, Lux, Lysen, Maxie, McKibbin, Nelson D., Newhouse, O'Brien, Pardini, Pruitt, Salatino, Shinoda, Smith, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Zimmerman.

Not voting: Representatives Berentson, Leckenby, Martinis, Moreau, Owen, Pearsall, Polk, Williams, and Mr. Speaker.

Senate Bill No. 2439 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2405, by Committee on Education (Originally sponsored by Senator McDermott):

Mandating rules and regulations for voluntary transfer of students between schools in same school district.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day ex. sess., May 6, 1977.)

Mr. Clemente moved adoption of the committee amendment to page 1, line 19.

Mr. Clemente moved adoption of the following amendment to the committee amendment:

On line 4 of the committee amendment, after "transfer" insert ": PROVIDED FURTHER, That in no instance shall interscholastic athletic activities alone be considered adequate reason to grant a transfer outside of any student's service area"

Mr. Clemente spoke in favor of the amendment to the committee amendment, and Mr. Ehlers spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clemente to the committee amendment to Engrossed Substitute Senate Bill No. 2405, and the amendment was not adopted by the following vote: Yeas, 23; nays, 60; not voting, 15.

Voting yea: Representatives Bauer, Bond, Clemente, Craswell, Erickson, Fischer, Flanagan, Fortson, Gaines, Gilleland, Hansen, Heck, Kilbury, King, Knedlik, Oliver, Pardini, Salatino, Sanders, Schmitt, Tilly, Warnke, Whiteside.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Blair, Burns, Chandler, Charette, Charnley, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Fancher, Fuller, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien,

Patterson, Pearsall, Pruitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Boldt, Clayton, Dunlap, Erak, Keller, Leckenby, Martinis, Moreau, Newhouse, Owen, Paris, Polk, Williams, and Mr. Speaker.

Representatives Clemente and Ehlers spoke in favor of adoption of the committee amendment, and Mr. Barnes spoke against it.

The committee amendment was adopted.

Mr. Clemente moved adoption of the committee amendment to page 1, line 23.

On motion of Mr. Clemente, the following amendment to the committee amendment was adopted:

On line 6 of the committee amendment, after "lives" insert ": PROVIDED, That mandatory transportation of nonambulatory handicapped students, as required in RCW 28A.24.100 as now or hereafter amended, shall not be suspended by the provisions of this 1977 act"

The committee amendment as amended was adopted.

Mr. Clemente moved adoption of the following amendment:

On page 1, line 19 after "area" insert ": PROVIDED FURTHER, That once a student's transfer outside the service area of residence is implemented, such student shall not be forced to return to his or her service area nor to transfer into another area solely because of new students having moved into the area in which the student has transferred"

Mr. Clemente spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Fuller.

Mr. Fuller: "Representative Clemente, is there any conflict between line 10 of this bill and your amendment?"

Mr. Clemente: "I couldn't see any. The concern that was raised here was that after the student made the request and was accepted under the language in line 10, there might be new residents of the area at a later date that would be in conflict for that room. The language simply makes it clear that the district won't be in a bind then in making a decision to make available that space by kicking out the student they have just accepted."

Representatives Fuller and Barnes spoke against the amendment, and Representatives Clemente and Fortson spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clemente to Engrossed Substitute Senate Bill No. 2405, and the amendment was adopted by the following vote: Yeas, 62; nays, 18; not voting, 18.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Hughes, Keller, Kilbury, King, Knowles, Lux, Lysen, Maxie, McCormick, McKibbin, Nelson D., North, O'Brien, Pardini, Patterson, Pearsall, Pruitt, Sanders, Schmittens, Sherman, Shinoda, Shinpoch, Smith, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside.

Voting nay: Representatives Barnes, Bond, Craswell, Deccio, Fuller, Gilleland, Gruger, Haley, Heck, Hurley M., Kreidler, Lee, May, Oliver, Paris, Taller, Winsley, Zimmerman.

Not voting: Representatives Amen, Berentson, Clayton, Flanagan, Hurley G. S., Knedlik, Leckenby, Martinis, Moreau, Nelson G. A., Newhouse, Owen, Polk, Salatino, Sommers, Williams, Wilson, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2405 as amended by the House was passed to Committee on Rules for third reading.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2527, by Committee on Transportation (Originally sponsored by Senator Henry):

Defining criminal process of leased and rented motor vehicles and providing penalties.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 61st Day ex. sess., May 10, 1977.)

Mr. Knowles moved adoption of the committee amendment.

Representatives Smith, Newhouse and Knowles spoke against adoption of the committee amendment, and it was not adopted.

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

On page 2, line 5 after "with" strike "conscious purpose to injure the owner" and insert "intent to deprive the owner of or exert unauthorized control over the property"

Reengrossed Substitute Senate Bill No. 2527 was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Bender, ENGROSSED SUBSTITUTE SENATE BILL NO. 2952 was rereferred to Committee on Rules.

ENGROSSED SENATE BILL NO. 2500, by Senator Sellar:

Creating state route 285.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2480, by Senators Ridder, Grant and Bailey (by Department of Employment Security request):

Revising the law on unemployment compensation.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 68th Day ex. sess., May 17, 1977.)

Mr. Lux moved adoption of the committee amendment.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse and Kilbury to the committee amendment:

On page 1, beginning on line 24 with "(2)" strike all the material down to and including "year." on page 2, line 3 and renumber the remaining subsections consecutively.

Representatives Newhouse, Clayton, Boldt, Hansen, Kilbury, Deccio, Fuller and Oliver spoke in favor of the amendment to the committee amendment, and Representatives King, Lux and Nelson (Dick) spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Newhouse and Kilbury to the committee amendment to Engrossed Senate Bill No. 2480, and the amendment was adopted by the following vote: Yeas, 63; nays, 28; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Ehlers, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Heck, Hughes, Hurley M., Kilbury, Knedlik, Knowles, Kreidler, Lee, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Tally, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bender, Burns, Charnley, Clemente, Conner, Enbody, Eng, Fischer, Gallagher, Gruger, Hawkins, Hurley G. S., Keller, King, Lux, Lysen, Maxie, May, Nelson D., Pearsall, Pruitt, Salatino, Shipoch, Thompson, Valle, Vrooman, Warnke.

Not voting: Representatives Douthwaite, Leckenby, Martinis, Moreau, Owen, Williams, and Mr. Speaker.

The committee amendment as amended was adopted.

On motion of Mr. Lux, the committee amendment to the title was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2480 as amended by the House was placed on final passage.

Mr. Lux spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "On page 22 of the House Labor Committee amendment, lines 12, 13, 35 and 36 read, '... during any nonwork period occurring during a term that does not diminish the individual's salary for the term.' Is this language intended to exclude classified (nonteacher) personnel from receiving benefits during such periods as the Christmas break, spring break, and summer vacation?"

Mr. King: "Yes, that clearly excludes classified (nonteacher) personnel from receiving benefits during Christmas, spring and summer vacations."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2480 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Newhouse.

Not voting: Representatives Leckenby, Martinis, Moreau, Owen, Williams.

Engrossed Senate Bill No. 2480 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. 2430**, by Committee on Local Government (Originally sponsored by Senators Mardesich, Van Hollebeke, Grant, North, Bluechel, Rasmussen, McDermott, Lewis, Murray and Jones):

Authorizing class AA or class A counties to assume the powers, functions, and obligations of a metropolitan municipal corporation.

The bill was read the second time.

The Clerk read the following amendment by Representative Leckenby:

On page 1, line 15 after "act" insert " PROVIDED, That such assumption is first approved by resolution of the metropolitan council, which approval may be conditioned upon a specific reorganization or reconstitution of the county's legislative body"

There being no action, the Speaker (Mr. O'Brien presiding) declared the amendment withdrawn.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "If the amendment is temporarily withdrawn in the absence of Representative Leckenby, can it be offered later, if the bill is still on second reading?"

The Speaker (Mr. O'Brien presiding): "I would suppose that if some other member later would like to introduce a similar amendment, we would consider it."

Mrs. Lee moved adoption of the following amendment by Representatives Lee and North:

On page 1, line 22 after "obligations." strike all the material down to and including "set" on line 24 and insert " PROVIDED, That prior to the adoption of the ordinance or resolution, the basic question of whether or not there should be a merger shall be presented to the voters of the county. If a majority of the persons voting on the issue shall vote in favor thereof, the county legislative authority will adopt an ordinance or resolution setting"

Mrs. Lee spoke in favor of the amendment, and Mr. Thompson spoke against it.

Mrs. Lee spoke again in favor of the amendment.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Lee and North to Substitute Senate Bill No. 2430, and the amendment was not adopted by the following vote: Yeas, 36; nays, 47; not voting, 15.

Voting yea: Representatives Adams, Barnes, Bond, Clayton, Craswell, Deccio, Erickson, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Hansen, Hughes, Hurley M., Knedlik, Knowles, Lee, Maxie, McCormick, Newhouse, North, Oliver, Pardini, Paris, Polk, Sanders, Schmitt, Sherman, Shinoda, Struthers, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Gaines, Gallagher, Grimm, Gruger, Hanna, Hawkins, Hurley G. S., Keller, Kilbury, King, Lux, Lysen, May, McKibbin, Nelson D., O'Brien, Patterson, Pearsall, Pruitt, Salatino, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Berentson, Dunlap, Haley, Heck, Kreidler, Leckenby, Martinis, Moreau, Nelson G. A., Owen, Shinpoch, Smith, Williams, Wilson, and Mr. Speaker.

The Clerk read the following amendment by Representatives Lee and North:  
On page 2, line 23 after "resolution" insert "specifying the exact form of merger"

With the consent of the House, Mrs. Lee withdrew the amendment.

Mrs. North moved adoption of the following amendment:

On page 2, line 1 after "county" insert ": PROVIDED, That in addition to the foregoing publication, such ordinance or resolution of intention shall also be published at least four times preceding the scheduled hearing in newspapers of weekly general circulation in those areas in which a substantial number of the residents of the county do not receive a newspaper of daily general circulation"

Mrs. North spoke in favor of the amendment, and Mr. Thompson spoke against it.

Mrs. North spoke again in favor of the amendment, and Mr. Blair spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative North to Substitute Senate Bill No. 2430, and the amendment was not adopted by the following vote: Yeas, 28; nays, 58; not voting, 12.

Voting yea: Representatives Amen, Barr, Conner, Fortson, Gaines, Gallagher, Grier, Gruger, Haley, Hansen, Hughes, Hurley M., Keller, Knedlik, Knowles, Lee, Maxie, May, McCormick, Nelson D., Nelson G. A., North, Patterson, Pruitt, Sanders, Schmitt, Sherman, Winsley.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gilleland, Greengo, Grimm, Hawkins, Heck, Hurley G. S., Kilbury, King, Kreidler, Lux, Lysen, McKibbin, Newhouse, O'Brien, Oliver, Pardini, Paris, Pearsall, Polk, Salatino, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside.

Not voting: Representatives Dunlap, Hanna, Leckenby, Martinis, Moreau, Owen, Shinpoch, Tilly, Williams, Wilson, Zimmerman, and Mr. Speaker.

Mrs. North moved adoption of the following amendment:

On page 2, line 25 after "proposition" strike all the material down through "city" on line 28

Mrs. North spoke in favor of the amendment, and Representatives Hurley (George) and Thompson spoke against it.

The amendment was not adopted.

Mr. Thompson moved adoption of the following amendment:

On page 7, line 35 after "affected." insert "In the event the provisions of section 4 requiring approval by both the voters of a central city and the county voters residing outside of the central city are held to be invalid, then such provisions shall be severable and the ballot propositions on the transfer of the metropolitan municipal corporation to the county shall be decided by the majority vote of the voters thereon in a county-wide election."

Representatives Thompson and Douthwaite spoke in favor of the amendment, and it was adopted.

Mr. Sanders moved adoption of the following amendment:

On page 1, line 15 after "act" insert ": PROVIDED, That such assumption is first approved by resolution of the metropolitan council, which approval may be conditioned upon a specific reorganization or reconstitution of the county's legislative body"

Mr. Sanders spoke in favor of the amendment, and Mr. Thompson spoke against it.

Mr. Sanders spoke again in favor of the amendment, and it was not adopted.

Substitute Senate Bill No. 2430 as amended by the House was passed to Committee on Rules for third reading.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Smith, Ehlers and Tilly as conferees on Engrossed Senate Bill No. 2668.

The Speaker (Mr. O'Brien presiding) appointed Representatives Hawkins, Nelson (Dick) and Amen as conferees on Engrossed Substitute Senate Bill No. 2032.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGES FROM THE SENATE

May 19, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 960, and the President has appointed as Senate conferees thereon: Senators McDermott, Gould, Mardesich.

Bill Gleason, Assistant Secretary.

May 19, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2104, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 19, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2069,  
SENATE BILL NO. 2166,  
SENATE BILL NO. 2286,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2114, by Senators von Reichbauer and Van Hollebeke (by Parks and Recreation Commission request):

Permitting longer concessions and leases in state parks.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendment, see Journal, 55th Day ex. sess., May 4, 1977.)

On motion of Representative Hurley (Margaret), the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2114 as amended by the House was placed on final passage.

Representative Hurley (Margaret) spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Hurley, I'm concerned about the forty-year lease. If the average person went into business at the age of thirty and retired at sixty-five, I don't quite follow the forty-year lease."

Mrs. Hurley (Margaret): "There are forty-year leases now in existence. I think present law entitles the commission to go ahead and give two forty-year leases. Most of them, however, are twenty or less, or probably around twenty years. You're afraid they are going to die in that period and not pay the money?"

Mr. Struthers: "That's right."

Mrs. Hurley (Margaret): "I presume they have ways of collecting this and if the commission isn't afraid they are going to die, then I'm not worried about it either."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2114 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Struthers.

Not voting: Representatives Clayton, Deccio, Hanna, Leckenby, Lee, Martinis, McKibbin, Owen, Williams.

Engrossed Senate Bill No. 2114 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. 2189, by Senators Guess, Benitz, Henry, Hayner and Donohue:

Adopting the international registration plan.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 49th Day ex. sess., April 28, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2189 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2189 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hanna, Leckenby, Martinis, McKibbin, Moreau, Owen, Williams.

Engrossed Senate Bill No. 2189 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 SUBSTITUTE SENATE BILL NO. 2197, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Jones):

Revising laws regulating escrow officers and agents.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 60th Day ex. sess., May 9, 1977.)

On motion of Mr. Douthwaite, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2197 as amended by the House was placed on final passage.

Representatives Douthwaite, Polk, Deccio and Smith spoke in favor of passage of the bill, and Representatives Charette and Blair spoke against it.

#### MOTION

Mr. Charette moved that Engrossed Substitute Senate Bill No. 2197 as amended by the House be rereferred to Committee on Rules.

Representatives Charette and Deccio spoke in favor of the motion, and Representatives Haley, Douthwaite and Smith spoke against it.

Mr. Charette spoke again in favor of the motion.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2197 as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2197 as amended by the House, and the bill passed the House by the following vote: Yeas, 68; nays, 23; not voting, 7.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Berentson, Bond, Burns, Chandler, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lysen, Maxie, McCormick, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Blair, Boldt, Charette, Charnley, Conner, Eng, Fortson, Gruger, Hurley G. S., King, Lee, Lux, May, McKibbin, North, Pardini, Pruitt, Shipoch, Thompson, Winsley, Zimmerman.

Not voting: Representatives Barnes, Leckenby, Martinis, Moreau, Owen, Salatino, Williams.

Engrossed Substitute Senate Bill No. 2197 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. 1210, by Representative Whiteside:

Permitting certain teachers to pick up prior service in the teachers' retirement system under certain conditions.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 1210 was placed on final passage.

Mr. Whiteside spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1210, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Leckenby, Martinis, Moreau, Owen, Williams.

House Bill No. 1210, 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 (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2069,  
SENATE BILL NO. 2166,  
SENATE BILL NO. 2286.

HOUSE BILL NO. 1176, by Representatives Valle, Pruitt, Erickson, Winsley, Haley, Barnes and Hawkins:

Exempting mental health, alcohol, and drug treatment services by nonprofit organizations from the business and occupation tax.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and House Bill No. 1176 was placed on final passage.

Mrs. Valle spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1176, and the bill passed the House by the following vote: Yeas, 82; nays, 7; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Fancher, Flanagan, Gilleland, Hansen, Pardini, Tilly.

Not voting: Representatives Berentson, Haley, Leckenby, Martinis, Moreau, Owen, Patterson, Polk, Williams.

House Bill No. 1176, 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. 522, by Representatives Sommers and Erickson:

Phasing out tax credits and exemptions for pollution control facilities.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 522 was substituted for House Bill No. 522, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 522 was read the second time.

On motion of Ms. Sommers, the following amendments by Representatives Sommers, Nelson (Gary) and Knedlik were adopted:

On page 3, after line 8 add new sections as follows:

**NEW SECTION.** Sec. 2. The provisions of this 1977 amendatory act shall control with respect to any application for a pollution control tax exemption or credit certificate properly completed and filed with the department of revenue after June 1, 1977.

**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 immediately."

On page 1, line 13 after "or" insert "of"

On page 1, line 3 of the title after "RCW 82.34.010" insert "; and declaring an emergency"

Substitute House Bill No. 522 was ordered engrossed.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 522 be placed on final passage.

Mr. Charette spoke against the motion, and Ms. Sommers spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Substitute House Bill No. 522 on final passage, and the motion received the required two-thirds majority by the following vote: Yeas, 63; nays, 26; not voting, 9.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Patterson, Pearsall, Pruitt, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Charette, Clayton, Craswell, Dunlap, Erak, Fancher, Fischer, Flanagan, Fortson, Gilleland, Greengo, Hansen, Lee, Lux, May, North, Oliver, Pardini, Paris, Polk, Schmitten, Zimmerman.

Not voting: Representatives Barnes, Haley, Leckenby, Martinis, Moreau, Newhouse, Owen, Salatino, Williams.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 522.

Representatives Sommers and Knedlik spoke in favor of passage of the bill, and Representatives Flanagan, Zimmerman, Pardini and Greengo spoke against it.

Mr. Charnley 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. 522, and the bill passed the House by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Adams, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Chandler, Charette, Clayton, Deccio, Dunlap, Erak, Fancher, Flanagan, Gilleland, Greengo, Haley, Hansen, Keller, Knedlik, Lee, Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Leckenby, Martinis, Moreau, Owen, Williams.

Engrossed Substitute House Bill No. 522, 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 assumed the Chair.

#### MESSAGE FROM THE SENATE

May 19, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3109, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

Mr. Shipoch moved that the House refuse to recede from the amendment to Substitute Senate Bill No. 3109, and ask the Senate for a conference thereon.

Mr. Berentson moved that the House do recede from the House amendment to Substitute Senate Bill No. 3109.

Mr. Berentson spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House do recede from its amendment to Substitute Senate Bill No. 3109, and the motion was lost by the following vote: Yeas, 30; nays, 61; not voting, 7.

Voting yea: Representatives Amen, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson

D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Not voting: Representatives Leckenby, Martinis, Moreau, Owen, Paris, Williams, Zimmerman.

The Speaker stated that the House, by its action, had refused to recede from their amendment to Substitute Senate Bill No. 3109, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Shinpoch, Thompson and Blair as conferees on Substitute Senate Bill No. 3109.

#### MESSAGE FROM THE SENATE

May 13, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2697, and adheres to its position, and said bill, together with the House amendments, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Shinpoch, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 2697, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Shinpoch, McKibbin and Patterson as conferees on Engrossed Substitute Senate Bill No. 2697.

#### MESSAGE FROM THE SENATE

May 18, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 2421, and asks the House to recede therefrom, and said bill, together with the House amendment thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Thompson, the House refused to recede from its amendment to Engrossed Senate Bill No. 2421, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Owen, Eng and Lee as conferees on Engrossed Senate Bill No. 2421.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2244, by Committee on Commerce (Originally sponsored by Senators Henry, Guess and Beck - by Department of Motor Vehicles request):

Revising laws governing car dealers and salesmen.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Warnke, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2244 as amended by the House was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2244 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 6; not voting, 10.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson G. A., North, O'Brien, Oliver, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Charette, Erak, Hurley G. S., Nelson D., Shipoch.

Not voting: Representatives Bond, Flanagan, Leckenby, Martinis, Moreau, Newhouse, Owen, Patterson, Struthers, Williams.

Substitute Senate Bill No. 2244 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.

### THIRD READING

REENGROSSED SENATE BILL NO. 2418, as amended by the House, by Senators Walgren, Murray, Woody, Clarke and Henry:

Revising the laws relating to criminal justice training.

The bill was read the third time and placed on final passage.

Representatives Hanna, Barr and North spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2418 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McKibbin, Nelson D., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Nelson G. A., Zimmerman.

Not voting: Representatives Leckenby, Martinis, McCormick, Moreau, Owen, Salatino, Williams, Wilson.

Reengrossed Senate Bill No. 2418 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. King, the House adjourned until 9:30 a.m., Friday, May 20, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.



## SEVENTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 20, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, Douthwaite, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda and Vrooman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Megan Whitmore and Clint Smith. Prayer was offered by Father William Treacy 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.

## MESSAGES FROM THE SENATE

May 19, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 267,  
ENGROSSED HOUSE BILL NO. 298,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 440,  
SUBSTITUTE HOUSE BILL NO. 675,  
HOUSE BILL NO. 927,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 19, 1977

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 2104,  
SENATE BILL NO. 2196,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 19, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2156, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

May 19, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3109, and the President has appointed as Senate conferees thereon: Senators Donohue, Scott, Odegaard.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, as amended by the House, by Committee on Judiciary (Originally sponsored by Senators Bottiger, Gaspard and Wojahn):

Increasing the number of superior court judges in Spokane, Pierce, Kitsap, Benton-Franklin, Cowlitz, and San Juan-Island judicial districts.

The bill was read the third time and placed on final passage.

Mr. Knowles 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. 2143 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 4; not voting, 21.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley M., Kilbury, King, Knowles, Kreidler, Lee, Lux, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Struthers, Tally, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Blair, Keller, Paris, Tilly.

Not voting: Representatives Becker, Bond, Douthwaite, Enbody, Eng, Fancher, Gaines, Haley, Hanna, Hurley G. S., Knedlik, Leckenby, Lysen, Martinis, Moreau, Pardini, Shinoda, Sommers, Vrooman, Winsley, Zimmerman.

Engrossed Substitute Senate Bill No. 2143 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

Please register my "Aye" vote on Engrossed Substitute Senate Bill No. 2143 as amended by the House. I was giving a talk in Tacoma and returned too late to vote.

RON HANNA, 26th District.

#### MOTION

On motion of Mr. King, ENGROSSED SENATE BILL NO. 2221 was rereferred to Committee on Rules.

ENGROSSED SENATE BILL NO. 2200, by Senators Sandison, Ridder and Odegaard (by Department of Natural Resources request):

Creating a resource management land bank.

The bill was read the third time and placed on final passage.

Mr. Charette spoke in favor of passage of the bill, and Mr. Schmitt spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2200, and the bill passed the House by the following vote: Yeas, 57; nays, 26; not voting, 15.

Voting yea: Representatives Adams, Bauer, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Ehlers, Erak, Erickson, Fischer, Flanagan, Fortson, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Haley, Hawkins, Kreidler, Lee, Oliver, Owen, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tally, Whiteside.

Not voting: Representatives Becker, Bond, Douthwaite, Enbody, Eng, Gaines, Hanna, Hurley G. S., Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman, Winsley.

Engrossed Senate Bill No. 2200, 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. 2210, as amended by the House, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Wilson):

Regulating prearrangement funeral service contracts.

The bill was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2210 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Douthwaite, Enbody, Eng, Gaines, Hanna, Hurley G. S., Leckenby, Lysen, Martinis, Moreau, Pardini, Shinoda, Vrooman, Winsley.

Substitute Senate Bill No. 2210 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. 2273, as amended by the House, by Senators Sandison and Donohue:

Providing for tuition and fees where student participating in a joint program conducted by two or more institutions of higher education.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2273 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Boldt, Douthwaite, Enbody, Eng, Gaines, Leckenby, Lysen, Martinis, Moreau, Pardini, Patterson, Shinoda, Vrooman, Winsley.

Engrossed Senate Bill No. 2273 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. 2310, as amended by the House, by Senators Rasmussen and Buffington:

Making various changes in the law on the state committee on salaries.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2310 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 1; not voting, 15.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Flanagan.

Not voting: Representatives Becker, Bender, Douthwaite, Enbody, Gaines, King, Leckenby, Martinis, May, Moreau, Pardini, Shinoda, Sommers, Vrooman, Winsley.

Engrossed House Bill No. 2310 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. 2382**, as amended by the House, by Committee on Parks and Recreation (Originally sponsored by Senators Gaspard, von Reichbauer, Wojahn, Goltz and Peterson):

Authorizing senior citizen passports for admission to and use of state parks.

The bill was read the third time and placed on final passage.

Representatives Hurley (Margaret), Hansen and Owen spoke in favor of the bill, and Representatives Blair and Struthers spoke against it.

Representative Hurley (Margaret) spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2382 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 8; not voting, 13.

Voting yea: Representatives Adams, Barr, Bauer, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Clayton, Greengo, Newhouse, Polk, Struthers, Tilly.

Not voting: Representatives Barnes, Becker, Bond, Douthwaite, Enbody, Gaines, Leckenby, Martinis, Moreau, Oliver, Pardini, Shinoda, Vrooman.

Substitute Senate Bill No. 2382 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 SUBSTITUTE SENATE BILL NO. 2399**, by Committee on State Government (Originally sponsored by Senators Bausch, Pullen and Rasmussen):

Making the day before a legal holiday which falls on Saturday a holiday.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Ehlers, with the conflict that has developed over this floating holiday, I thought for purposes of legislative intent, on page 2, lines 15 and 16, it says, 'Whenever any legal holiday falls on a Saturday, then the preceding Friday shall be the legal holiday.' Is it, in your opinion, the intent that this would or would not cover holidays for schools—public schools?"

Mr. Ehlers: "It is my understanding that it would not apply to school districts or those nonclassified employees of higher education who work less than twelve consecutive months."

Mr. Tilly spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Ehlers, does this, in any way, affect the requirements for 180 days of schooling?"

Mr. Ehlers: "No."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2399, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Berentson, Douthwaite, Enbody, Gaines, Hurley G. S., Leckenby, Martinis, Moreau, Owen, Pardini, Shinoda, Vrooman.

Engrossed Substitute Senate Bill No. 2399, 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. 2451, by Senators Rasmussen, Marsh and Morrison:

Allowing for a longer appeal period from actions of county boards of equalization.

The bill was read the third time and placed on final passage.

Mr. Knedlik spoke in favor of passage of the bill.

## MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2451 was deferred, and the bill was ordered held for Monday's third reading calendar.

SUBSTITUTE SENATE BILL NO. 2489, by Committee on Local Government (Originally sponsored by Senators Washington and Sellar):

Revising the procedures by which a PUD may contract for certain purchases.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2489, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Clayton, Douthwaite, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Salatino, Shinoda, Vrooman.

Substitute Senate Bill No. 2489, 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. 2081, by Senator Francis:

Creating warrant server positions for municipal courts of large cities.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill, and Mr. Charette spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2081, and the bill passed the House by the following vote: Yeas, 80; nays, 5; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee,

Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Smith, Sommers, Struthers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Conner, Eng, Shipoch, Thompson.

Not voting: Representatives Becker, Boldt, Douthwaite, Enbody, Flanagan, Gaines, Leckenby, Martinis, Moreau, Owen, Pardini, Shinoda, Vrooman.

Engrossed Senate Bill No. 2081, 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 he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 2104,  
SENATE BILL NO. 2196.

SUBSTITUTE SENATE BILL NO. 2638, as amended by the House, by Committee on Social and Health Services (Originally sponsored by Senator Day):

Authorizing certain alternative systems for correcting septic tank failures.

The bill was read the third time and placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2638 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 6; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Conner, Craswell, Eng, Lysen, Schmitt.

Not voting: Representatives Becker, Berentson, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Substitute Senate Bill No. 2638 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 SUBSTITUTE SENATE BILL NO. 2924, as amended by the House, by Committee on Transportation (Originally sponsored by Senators Henry, Beck, Bottiger, Peterson, Keefe, Sellar, Wanamaker and Talley):

Creating a department of transportation.

The bill was read the third time and placed on final passage.

#### MOTION

On motion of Mr. Charnley, the rules were suspended, and Engrossed Substitute Senate Bill No. 2924 as amended by the House was returned to second reading for the purpose of amendment.

Mr. Charnley moved adoption of the following amendment to the committee amendment:  
On page 3, line 2 beginning with "from" strike the language down to and including "governor" on line 3.

Representatives Charnley and Gilleland spoke in favor of the amendment to the committee amendment, and it was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2924 as amended by the House was placed on final passage.

Mr. Charnley 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. 2924 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 9; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Charette, Erak, Flanagan, Hawkins, Salatino, Schmitt, Tilly, Warnke.

Not voting: Representatives Becker, Enbody, Gaines, Haley, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Engrossed Substitute Senate Bill No. 2924 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. Bender, the House reverted to the sixth order of business.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3093, by Committee on Transportation (Originally sponsored by Senator Henry):

Establishing procedures for the construction of state ferries.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3093 as amended by the House was placed on final passage.

Representatives Conner and Dunlap 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. 3093 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 4; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Blair, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Clayton, Flanagan, Newhouse.

Not voting: Representatives Becker, Bender, Berentson, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Polk, Shinoda, Vrooman.

Engrossed Substitute Senate Bill No. 3093 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. 2288, by Senators Talley, Bluechel and Fleming (by Office of Program Planning and Fiscal Management request):

Regulating the conduct of various censuses.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2288 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2288, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman, Warnke.

Engrossed Senate Bill No. 2288, 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. 2356**, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Lewis):

Revising methods of setting precinct boundaries.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Hawkins, the committee amendment was adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 2356 as amended by the House was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2356 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Struthers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Charette, Douthwaite, Enbody, Gaines, Leckenby, Martinis, Moreau, Oliver, Owen, Pardini, Shinoda, Sommers, Thompson, Vrooman.

Substitute Senate Bill No. 2356 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. 2383**, by Committee on Ways and Means (Originally sponsored by Senators Woody, Donohue, Scott and Clarke - by Legislative Budget Committee request):

Providing for salary surveys and incentive pay for public employees.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 56th Day ex. sess., May 5, 1977.)

Mr. Ehlers moved adoption of the committee amendment.



Representatives Ehlers and Taller spoke in favor of the amendment, and it was adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2383 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2383 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 3; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Struthers, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Keller, Kreidler, Taller.

Not voting: Representatives Becker, Clayton, Deccio, Douthwaite, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Sommers, Vrooman.

Substitute Senate Bill No. 2383 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. 2400, by Senators Rasmussen, Odegaard and Newschwander:

Changing the name of the office of program planning and fiscal management to the office of fiscal management.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2400 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2400, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Deccio, Enbody, Gaines, Heck, Hurley G. S., Kreidler, Leckenby, Martinis, Moreau, Pardini, Patterson, Shinoda, Vrooman.

Engrossed Senate Bill No. 2400, 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. 2408, by Senators Henry, Wanamaker and Rasmussen:

Establishing a charge for pamphlets of liquor regulations.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2408 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2408, and the bill passed the House by the following vote: Yeas, 83; nays, 1; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Maxie, May, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hansen.

Not voting: Representatives Becker, Douthwaite, Enbody, Gaines, Heck, Kreidler, Leckenby, Martinis, McCormick, Moreau, Pardini, Shinoda, Smith, Vrooman.

Engrossed Senate Bill No. 2408, 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.

REENGROSSED SENATE BILL NO. 2426, by Senators Ridder and Morrison (by Department of Employment Security request):

Regulating the disclosure of the records of the department of employment security.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 48th Day ex. sess., April 27, 1977.)

Mr. Lux moved adoption of the committee amendments.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Lux, could you tell me what this striking of the hearing examiner means?"

Mr. Lux: "Representative Zimmerman, there was some question about how many individuals this would apply to and they felt that the striking of this and just placing the word 'officer' would eliminate any confusion in there. There are probably many different individuals that would have this authority, and they felt instead of listing them all, it would be better to just use the word 'officer.'"

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Bond.

Mr. Bond: "Maybe to put everyone's mind at ease, since there have been some members who have felt there might be something in these amendments that would provide an opportunity for people who are fraudulently getting unemployment to be able to cover up the record, could you explain this further?"

Mr. Lux: "Representative Bond, I think what this legislation attempts to do is to reconcile the confidentiality of records with the public access. There has been some confusion there and I think it's a fairly touchy matter. What this legislation attempts to do is to give the Legislature the right to view these records of the Unemployment Security Department, and yet not violate the individual's right to privacy."

The committee amendments were adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2426 as amended by the House was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2426 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tully, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Zimmerman.

Not voting: Representatives Becker, Enbody, Flanagan, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Reengrossed Senate Bill No. 2426 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. 2444, by Senator Goltz:

Authorizing an involuntary sustained treatment program for recidivist alcoholics.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal, 50th Day ex. sess., April 29, 1977.)

On motion of Mr. Hanna, the committee amendment was adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Senate Bill No. 2444 as amended by the House was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2444 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 3; not voting, 11.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tully, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Hurley G. S.

Not voting: Representatives Becker, Douthwaite, Enbody, Gaines, Haley, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Senate Bill No. 2444 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. 2485, by Senators Bottiger, Guess, Wanamaker and Beck (by Department of Highways request):

Establishing new functional classifications for highways.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 60th Day ex. sess., May 9, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2485 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2485 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmittin, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Engrossed Senate Bill No. 2485 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 SUBSTITUTE SENATE BILL NO. 2565**, by Committee on State Government (Originally sponsored by Senators Rasmussen, Herr and Buffington):

Transferring UCC duties from the secretary of state to the department of motor vehicles.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2565 was placed on final passage.

Mr. Ehlers 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. 2565, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmittin, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Becker, Clemente, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Engrossed Substitute Senate Bill No. 2565, 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. 2591**, by Committee on Higher Education (Originally sponsored by Senators Sandison and Guess):

Relating to postsecondary education.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2591 was placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2591, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmittin, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Gaines, Grier, Knowles, Leckenby, Martinis, Moreau, Owen, Pardini, Pearsall, Shinoda, Vrooman.

Substitute Senate Bill No. 2591, 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. 2619, by Committee on Agriculture (Originally sponsored by Senators Benitz and Morrison):

Relating to irrigation projects.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2619 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "On page 3, and also on page 7, lines 24 and 25, it says, 'PROVIDED FURTHER, That either the president of the board of directors' or the secretary's signature on the bonds shall be manually subscribed . . .' Can that be relieving them of having to sign? If it says 'manually subscribed,' I'm assuming they're going to have to do that by hand."

Mr. Kilbury: "Yes, that would require one or the other to sign."

Mr. Zimmerman: "They must sign by hand, one or the other, all of the bonds?"

Mr. Kilbury: "Yes."

Mr. Zimmerman: "I thought the whole idea of the bill was to relieve them of that."

Mr. Kilbury: "It relieves two officers. Just one out of the group must sign."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2619, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Gaines, Hanna, Leckenby, Martinis, Moreau, Pardini, Shinoda, Tilly, Vrooman.

Engrossed Substitute Senate Bill No. 2619, 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. 2747, by Senators Rasmussen, Donohue and Buffington:

Providing for disposal of surplus property.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 47th Day ex. sess., April 26, 1977.)

On motion of Mr. Ehlers, the committee amendment was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2747 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2747 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite,

Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Thompson, Vrooman.

Senate Bill No. 2747 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. 2831, by Senators McDermott, Gould, Gaspard, Murray and Grant (by State Superintendent of Public Instruction request):

Making changes in the RCW code to reflect other laws relating to education.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2831 was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2831, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Gaines, Leckenby, Martinis, Moreau, Owen, Pardini, Shinoda, Tilly, Vrooman.

Senate Bill No. 2831, 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. 2868, by Senators von Reichbauer, North, Sellar and Fleming:

Providing for new boards of commissioners for merged fire districts.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2868 was placed on final passage.

Mr. Owen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2868, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Becker, Enbody, Fortson, Gaines, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Engrossed Senate Bill No. 2868, 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. 2975, by Committee on Parks and Recreation (Originally sponsored by Senators Bluechel, Gould, Murray, Goltz and Hayner):

Relating to the liability of ski resort operators.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

Representative Hurley (Margaret) moved adoption of the committee amendment.

#### POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Hurley, I notice in reading the digest that in speaking of the liability insurance for tramways, ski lifts and skimobiles, it is only \$100,000 per accident. Is that correct, or is that per accident per person?"

Mrs. Hurley (Margaret): "I think this is per accident per person. They did say that none of the ski operators carried this low an amount of insurance; that they were all well over that amount just for their own safety."

Mr. Boldt moved adoption of the following amendment to the committee amendment: On page 1, line 17 after "sign" strike "Men" and insert "People"

Mr. Boldt spoke in favor of the amendment to the committee amendment, and Mrs. Hurley (Margaret) spoke against it.

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

The committee amendment was adopted.

On motion of Mrs. Hurley (Margaret), the committee amendment to the title was adopted.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2975 as amended by the House was placed on final passage.

Representatives Hurley (Margaret) and Craswell spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2975 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 5; not voting, 11.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Charette, Erak, Nelson G. A., Tilly.

Not voting: Representatives Amen, Becker, Enbody, Gaines, Haley, Leckenby, Martinis, Moreau, Pardini, Shinoda, Vrooman.

Substitute Senate Bill No. 2975 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. 3004, by Senators Francis, Marsh and Walgren:

Adding three members to the judicial council.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3004 was placed on final passage.

Mr. 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. 3004, and the bill passed the House by the following vote: Yeas, 83; nays, 3; not voting, 12.

Voting yea: Representatives Adams, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Greengo, Zimmerman.

Not voting: Representatives Becker, Enbody, Fuller, Gaines, Leckenby, Martinis, Moreau, Pardini, Sanders, Shinoda, Vrooman, Winsley.

Engrossed Senate Bill No. 3004, 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. 3058, by Senators Sellar, Wilson and Wanamaker:**

Authorizing coverage of volunteer law enforcement officers under the industrial insurance laws.

The bill was read the second time.

On motion of Mr. Boldt, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3058 was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3058, and the bill passed the House by the following vote: Yeas, 84; nays, 1; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Shinpoch.

Not voting: Representatives Becker, Enbody, Gaines, Knedlik, Leckenby, Martinis, Moreau, Owen, Pardini, Salatino, Schmitt, Shinoda, Vrooman.

Engrossed Senate Bill No. 3058, 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.

## MESSAGE FROM THE GOVERNOR

May 20, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 20, 1977, Governor Ray approved the following House Bills, entitled:

**HOUSE BILL NO. 335:** Modifying the procedure for awarding public works contracts by cities and towns of the second, third, and fourth class.

**HOUSE BILL NO. 424:** Establishing the Washington state commission for the blind.

**HOUSE BILL NO. 580:** Making the possession of a device to evade telephone toll charges a felony.

Sincerely,  
Joe Zaspel, Legislative Assistant.



MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Monday, May 23, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 23, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Deccio, Leckenby, Lee, O'Brien, Sanders and Vrooman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elizabeth DeBooy and James Arbaugh. Prayer was offered by Reverend Wally Burton of St. Andrew's Lutheran Church of Vancouver, Washington.

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

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 161,  
 SUBSTITUTE HOUSE BILL NO. 267,  
                   HOUSE BILL NO. 298,  
 SUBSTITUTE HOUSE BILL NO. 314,  
 SUBSTITUTE HOUSE BILL NO. 327,  
                   HOUSE BILL NO. 376,  
 SUBSTITUTE HOUSE BILL NO. 440,  
 SUBSTITUTE HOUSE BILL NO. 675,  
                   HOUSE BILL NO. 683,  
                   HOUSE BILL NO. 691,  
                   HOUSE BILL NO. 927.

## MESSAGES FROM THE SENATE

May 20, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2421, and the President has appointed as Senate conferees thereon: Senators Goltz, Sellar, Van Hollebeke.

Sidney R. Snyder, Secretary.

May 20, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, and the President has appointed as Senate conferees thereon: Senators Grant, North, Beck.

Sidney R. Snyder, Secretary.

May 20, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2668, and the President has appointed as Senate conferees: Senators Marsh, Hayner, Van Hollebeke.

Bill Gleason, Assistant Secretary.

May 20, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2189, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 18, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2156, permitting certain corporations of health care professionals to act as self-insurers against liability, have had the same under consideration and we recommend that the House amendment to page 1, line 16 not be adopted and recommend that the following amendment be adopted:

On page 1, line 16 after "code." strike the balance of the section and insert "An association or other entity composed of five hundred or more health care professionals licensed pursuant to chapters 18.71 or 18.88 RCW, or an association or other entity composed of at least one-third of the health care professionals licensed pursuant to any of the following chapters: 18.22, 18.25, 18.32, or 18.57 RCW, and, if composed of more than five hundred members, meeting capital and surplus requirements set forth in RCW 48.05.340(1), or, if composed of less than five hundred members, meeting one-third of the capital and surplus requirements set forth in RCW 48.05.340(1), after a written determination by the insurance commissioner that insurance for claims brought under chapter 7.70 RCW is either unavailable or cost-prohibitive from a licensed insurance carrier, may join and organize as a mutual corporation pursuant to chapter 24.06 RCW for the purpose of insuring or self-insuring against claims brought under chapter 7.70 RCW through a contributing trust fund and shall not be deemed an 'insurer' under this code: PROVIDED, That each health professional mutual corporation shall submit a financial and operational report annually to the legislative budget committee and the insurance commissioner."

Signed by Senators Day, Woody; Representatives Douthwaite, Haley, Grier.

## MOTION

Mr. Douthwaite moved that the report of the Free Conference Committee be adopted.

## POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Douthwaite, this envisions that some persons licensed would not meet the five hundred members, but it says one-third of those. Can you tell me typically what groups would only be subject to the one-third and how many members would there be and why they would only have the one-third capital requirement?"

Mr. Douthwaite: "I have the number of all six categories here. For example, osteopaths have 190 licensed osteopaths in the state, which is less than 500—"

Mr. Pardini: "Excuse me for interrupting. Conceivably, sixty-five of those people could band together?"

Mr. Douthwaite: "Yes. They would have to raise, however, one-third of \$1 million in reserve surplus which means \$333,000, so you see it's not something they would enter into quickly."

The motion to adopt the report of the Free Conference Committee was carried.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Senate Bill no. 2156 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2156 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 75; nays, 1; not voting, 22.

voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., King, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

voting nay: Representative Keller.

Not voting: Representatives Adams, Amen, Barnes, Blair, Bond, Clayton, Deccio, Dunlap, Gaines, Gruger, Hanna, Kilbury, Knedlik, Leckenby, Lee, Martinis, O'Brien, Sanders, Shinoda, Vrooman, Whiteside, Wilson.

Engrossed Senate Bill No. 2156 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.

#### REPORT OF CONFERENCE COMMITTEE

May 19, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2082 as amended by the House, establishing procedures for abolishing state agencies, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend that the House amendment be adopted as amended.

Signed by Senators Gould, Wilson; Representatives Ehlers, Taller, Walk.

#### MOTION

On motion of Mr. Ehlers, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MOTION

On motion of Mr. King, Substitute Senate Bill No. 2082 was ordered immediately transmitted to the Senate.

#### REPORTS OF STANDING COMMITTEES

May 19, 1977

HOUSE BILL NO. 388, Prime Sponsor: Representative McKibbin, exempting from property taxation up to two thousand dollars of valuation of property equipped with a solar energy heating or cooling system. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Eng, Erickson, Kilbury, Moreau, Nelson (Dick), Tilly, Winsley.

To Committee on Rules for second reading.

May 20, 1977

HOUSE BILL NO. 743, Prime Sponsor: Representative Smith, limiting marine bulk petroleum shipment transfer facilities. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Dunlap, Ranking Minority Member; Berentson, Bond, Charnley, Kilbury, McCormick, McKibbin, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Conner, Wilson.

To Committee on Rules for second reading.

HOUSE BILL NO. 1106, Prime Sponsor: Representative Sommers, relating to revenue and taxation. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

May 19, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3054, Prime Sponsor: Senator Odegaard, modifying timber tax distribution. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1, line 12 strike everything after the enacting clause and insert the following:

\*Section 1. Section 7, chapter 294, Laws of 1971 ex. sess. as last amended by section 1, chapter 33, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 123, Laws of 1975-'76 2nd ex. sess. and RCW 82.04.291 are each reenacted and amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between October 1, 1972 and September 30, 1973 inclusive, the rate shall be one and three-tenths percent;

(b) For timber harvested between October 1, 1973 and September 30, 1974 inclusive, the rate shall be two and nine-tenths percent and between October 1, 1974 and December 31, 1978, inclusive, six and one-half percent.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own privately owned land or from the privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) 'Timber' means forest trees, standing or down on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) 'Stumpage value of timber' means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax ((~~account-B~~)) reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1) of this section shall be deposited in state timber tax account A and state timber tax ((~~account-B~~)) reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	(( <del>ACCOUNT-B</del> )) RESERVE ACCOUNT
1973 through (( <del>1978</del> ))1982	100%	0%
(( <del>1979</del> ))	<del>75%</del>	<del>25%</del>
<del>1980</del>	<del>50%</del>	<del>50%</del>
<del>1981</del>	<del>25%</del>	<del>75%</del>
<del>1982</del> )1983 and thereafter	0%	100%

(6) In addition to the rates specified in subsection (1) of this section, there shall be imposed upon such persons a surtax at a rate of .5% of the stumpage value of timber as specified in such subsection (1) upon timber harvested between October 1, 1972 and September 30, 1974 inclusive. The revenues from such surtax shall be deposited in ((~~a separate account designated~~)) the state timber tax reserve account((~~, which is hereby created in the state general fund and any interest earned on the investment of these cash balances shall be deposited in this account~~)). Such surtax shall be reimposed for one year upon timber harvested in any calendar year following any fourth quarter during which transfers from such reserve account pursuant to subsection (3) of RCW 84.33.080 reduce the balance in such account to less than five hundred thousand dollars, but in no event shall such surtax be imposed in any year after 1980.

(7) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued.

The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(8) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.04.490 shall not apply to the taxes imposed by this section.

(9) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

Sec. 2. Section 6, chapter 294, Laws of 1971 ex. sess. as amended by section 91, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.060 are each amended to read as follows:

In each year commencing with 1972 and ending with ~~((1980))~~ 1981, solely for the purpose of determining, calculating and fixing, pursuant to chapter 84.52 RCW, the dollar rates for all regular and excess levies for the state and each timber county and taxing district lying wholly or partially in such county within which there was timber on January 1 of such year, the assessor of such timber county shall, for each such district, add to the amount of the 'assessed valuation of the property' of all property other than timber the product of:

(a) The portion indicated below for each year of the value of timber therein as shown on the timber roll prepared in accordance with RCW 84.33.050 for such year; and

(b) The assessment ratio applied generally by such assessor in computing the assessed value of other property in his county:

YEAR	PORTION OF TIMBER ROLL
1972 through 1977	100%
1978	<del>((75%))</del> 80%
1979	<del>((50%))</del> 60%
1980	<del>((25%))</del> 40%
1981 <del>((and thereafter</del>	<del>None))</del> 20%
1982 and thereafter	None

Sec. 3. Section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 8, chapter 123, Laws of 1975-'76 2nd ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 and ending with ~~((1980))~~ 1981, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection in the following year;

(c) A 'timber factor' which is the product of such aggregate dollar rate, the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll for such year ((a) above):

YEAR	PORTION OF TIMBER ROLL
1972	25%
1973	55%
1974 through 1977	100%
1978	<del>((75%))</del> 80%
1979	<del>((50%))</del> 60%
1980	<del>((25%))</del> 40%
1981	20%

On or before December 31 of each year commencing with 1972 and ending with ~~((1980))~~ 1981, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the twentieth day of the second month of each calendar quarter, commencing February 20, 1974 and ending November 20, ~~((1981))~~ 1982, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion and pay into the state general fund for the support of the common schools the state's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount in state timber tax account A collected upon timber harvested in the preceding calendar quarter, but in no event shall any such quarterly payment to a taxing district, when added to such payments made to such district the previous quarters of the same year, exceed, respectively one-fourth, one-half, three-fourths, or the full amount of the timber factor for such district determined in December of the preceding year.

The balance in state timber tax account A, if any, (~~after the distribution to taxing districts on November 20, 1974 and~~) on the twentieth day of the second month of each calendar quarter commencing February 20, 1975 and ending November 20, (~~1981~~) 1982 shall be transferred to the state timber tax reserve account.

(3) If the balance in state timber tax account A immediately prior to such twentieth day of the second month of each calendar quarter is not sufficient to permit a payment of one-fourth, one-half, three-fourths, or the full amount, as the case may be, which, when added to the payments made to any taxing district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber tax reserve account to state timber tax account A.

(4) If, after the transfer, if any, from the state timber tax account A (pursuant to subsection (2) of this section) in August of any year commencing with 1974, the balance in the state timber reserve account exceeds two million dollars, the amount of the excess shall be applied first, subject to legislative appropriation of funds allocated from the state timber reserve account, for activities undertaken by the department of revenue forest (~~valuation section~~) tax division and for the activities undertaken by the department of natural resources relating to classification of lands as required by this chapter (~~PROVIDED, That within the 1973-75 biennium, the state treasurer shall transfer from the state timber reserve account to the state general fund an amount equal to actual expenditures of the department of revenue related to the activities of the forest valuation section no later than August 31, 1974 and August 31, 1975, for the fiscal year just completed. If the amount of such excess is more than is necessary for reimbursement for such purposes, the remaining amount of the excess shall be distributed to the taxing districts which distribution shall be made in the following manner:~~); if following the transfer, if any, from the state timber tax account A (pursuant to subsection (2) of this section) in November of 1977 and each year thereafter, the balance in the state timber tax reserve account exceeds two million dollars, the department of revenue shall determine on or before December 31 of such year, an amount to be distributed to the taxing districts the following calendar year, which distribution shall be determined in the following manner: PROVIDED, That the amount of such excess reserve account distribution shall be limited to that amount which, when added to the total account A distribution for the same calendar year, will allow a percentage increase or decrease in total calendar year distributions equal to the percentage increase or decrease in excise tax collections between the preceding calendar year and the current calendar year:

(a) The department of revenue shall calculate a harvest factor and a harvest factor proportion for each taxing district, in the manner provided in subsection (5) of this section except that for years before 1978 there shall be used the aggregate value of timber harvested for as many quarters for which information is available;

(b) By multiplying the amount of such excess by the harvest factor proportion for each taxing district respectively, the department of revenue shall calculate the amount to be distributed to each local taxing district and to the state and shall certify such amounts to the respective county assessors and state;

(c) Along with each quarterly payment pursuant to subsection (2) of this section, the state treasurer shall pay, out of the state timber reserve account, to the treasurer of each timber county for the account of each local taxing district one-fourth of such district's portion (determined pursuant to (b) above) of such excess and the state treasurer shall pay into the state's general fund for the support of the common schools out of the state timber tax reserve account such additional one-fourth amount due the state.

(~~The balance, if any, in the state timber reserve account after the final transfer, if any, to or from state timber tax fund A in November of 1981, shall be transferred to state timber tax account B on December 31, 1981, and one-fourth of such balance shall be distributed in each quarter of 1982 in the manner set forth in subsection (6) of this section:~~)

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection the following year;

(c) A 'harvest factor' which is the product of such five year average and such aggregate dollar rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state.

(~~On the twentieth day of the second month of each calendar quarter commencing February 20, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax account B collected upon timber harvested in the preceding calendar quarter:~~)

On line 7 of the title, after "RCW 84.33.060;" and before "amending" insert "and"

On line 9 of the title, after "84.33.080" and before the period on line 10, delete "; and declaring an emergency"

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Bond, Craswell, Eng, Erickson, Hurley (George), Kilbury, Winsley.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2451, by Senators Rasmussen, Marsh and Morrison:

Allowing for a longer appeal period from actions of county boards of equalization.

The bill was read the third time and placed on final passage.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and Engrossed Senate Bill No. 2451 was returned to second reading for the purpose of amendment.

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2451 was deferred, and the bill was ordered placed on the calendar immediately following Engrossed Senate Bill No. 2453.

ENGROSSED SENATE BILL NO. 2453, as amended by the House, by Senators Donohue, Clarke and Henry:

Modifying restrictions on small loan companies.

The bill was read the third time and placed on final passage.

Mr. Eng spoke in favor of passage of the bill.

#### POINT OF PERSONAL PRIVILEGE

Mr. Hurley (George): "Mr. Speaker, the financial institutions spent a great deal of money to defeat me in the last election and I think I should be able to explain why."

#### POINT OF ORDER

Mr. Pardini: "That's not a point of personal privilege, talking about last year's campaign. Let's not start off Monday that way."

The Speaker: "Your point is well taken, Representative Pardini."

Mr. Hurley (George) spoke against passage of the bill, and Mr. Pardini spoke in favor of it.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Hanna.

Mr. Hanna: "In looking over the new rate schedule, it seems to me that the reason the small loan companies are in favor of this bill so strongly is that the new balance gives them a much higher interest rate for that class of loans which are the most common. In other words, they can let off on both ends a little because they are going to get a lot richer in the middle. Is that true?"

Mr. Pardini: "I think what you are referring to is the annual percentage rate maybe on a loan that might be \$1500 or \$1800 or something in that neighborhood. Their annual percentage rate on those, Representative Hanna, is slightly in excess of the present amount, but again because of the increased number of dollars there is a higher element of risk involved. There's more dollars out there. Specifically, these loans are not secured by substantial securities; they are a personal loan, typical collateral for them is household goods. You repossess all the household goods and you're lucky if you get a third of your money back in the event of default. Please understand that if these people could get loans from normal financial institutions they would get them from their credit unions and that type of thing, but they are high risk and that's what you're faced with. That section of society in some way, shape or form has to be served."

Representatives Chandler and Hurley (Margaret) spoke in favor of the bill, and Mr. Lux spoke against it.



## POINT OF INQUIRY

Mr. Hurley (George) yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "Representative Hurley, this bill raises the interest rates in several categories. Could you explain how that affects people in terms of the percentages of the people who use various levels of loans?"

Mr. Hurley (George): "On the bill report, under the old law, \$300 was 36%. It's up to \$500 now and it's reduced to 30%, but the \$300 to \$500 is the real catch—em because that's the amount where the great percentage of loans is used and it's been raised to \$500 to \$1000 at 21%. So the 3% increase is the place the real money is made, so the loan companies and the banks behind them are the ones that are making them. I might reiterate that one of the bank lobbyists told me that he was very angry with me last session and the fact that I disputed this point. I would also like to bring out the question of why there is so much pressure on this legislation. This should not—"

## SPEAKER'S ADMONITION

The Speaker: "Representative Hurley, contain your remarks to the question asked of you."

## POINT OF ORDER

Representative Hurley (Margaret): "I believe it is in order to correct a misstatement. The change that was made on page 6, line 25 changed the percentage from 21% to 18% and I think maybe the people ought to be aware that Representative George Hurley was unaware of that change and made a misstatement."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2453 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 37; not voting, 10.

Voting yea: Representatives Barnes, Barr, Bauer, Berentson, Blair, Bond, Chandler, Charnley, Clayton, Craswell, Dunlap, Ehlers, Erickson, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Knedlik, Kreidler, Martinis, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Salatino, Schmitt, Shinoda, Struthers, Taller, Thompson, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Boldt, Burns, Charette, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Fischer, Fortson, Grimm, Hanna, Hurley G. S., Kilbury, King, Knowles, Lux, Lysen, Maxie, May, McKibbin, Nelson D., North, Owen, Paris, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Valle, Warnke, Williams.

Not voting: Representatives Adams, Amen, Deccio, Gaines, Gruger, Leckenby, Lee, O'Brien, Sanders, Vrooman.

Engrossed Senate Bill No. 2453 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. 2451:

The House resumed consideration of the bill on second reading.

Mrs. Winsley moved adoption of the following amendments by Representatives Winsley, Sommers and Hurley (George):

On page 1, after line 20 add a new section as follows:

"Sec. 2. Section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010 as amended by section 2, chapter 55, Laws of 1970 ex. sess., are each amended as follows:

Prior to July 1st, the county commissioners shall form a board for the equalization of the assessment of the property of the county. The members of said board may receive twenty-five dollars per day for each day of actual attendance of the meeting of the board of equalization to be paid out of the current expense fund of the county: PROVIDED, That when the county commissioners constitute the board they shall not receive the per diem allowance. The board of equalization shall meet in open session for this purpose annually on the first Monday in July and, having each taken an oath fairly and impartially to perform their duties as members of such board, they shall examine and compare the returns of the assessment of the property of the county and proceed to equalize the same, so that each tract or lot of real property and each article or class of personal property shall be entered on the assessment list at its true and fair value, according to the measure of value used by the county assessor in such assessment year, and subject to the following rules:

First. They shall raise the valuation of each tract or lot or item of real property which in their opinion is returned below its true and fair value to such price or sum as they believe to be the true and fair value thereof, after at least five days' notice shall have been given in writing to the owner or agent.

Second. They shall reduce the valuation of each tract or lot or item which in their opinion is returned above its true and fair value to such price or sum as they believe to be the true and fair value thereof.

Third. They shall raise the valuation of each class of personal property which in their opinion is returned below its true and fair value to such price or sum as they believe to be the true and fair value thereof, and they shall raise the aggregate value of the personal property of each individual whenever they believe that such aggregate value is less than the true valuation of the taxable personal property possessed by such individual, to such sum or amount as they believe to be the true value thereof, after at least five days' notice shall have been given in writing to the owner or agent thereof.

Fourth. They shall, upon complaint in writing of any party aggrieved, reduce the valuation of each class of personal property enumerated on the detail and assessment list of the current year, which in their opinion is returned above its true and fair value, to such price or sum as they believe to be the true and fair value thereof; and, upon like complaint, they shall reduce the aggregate valuation of the personal property of such individual who, in their opinion, has been assessed at too large a sum, to such sum or amount as they believe was the true and fair value of his personal property.

Fifth. The board may review all claims for either real or personal property tax exemption, and shall consider any taxpayer appeals from the decision of the assessor thereon to determine (1) if the taxpayer is entitled to an exemption, and (2) if so, the amount thereof.

The clerk of the board shall keep an accurate journal or record of the proceedings and orders of said board in a book kept for that purpose, showing the facts and evidence upon which their action is based, and the said record shall be published the same as other proceedings of county commissioners, and shall make a true record of the changes of the descriptions and assessed values ordered by the county board of equalization. The assessor shall correct the real and personal assessment rolls in accordance with the changes made by the said county board of equalization, and he shall make duplicate abstracts of such corrected values, one copy of which shall be retained in his office, and one copy forwarded to the state board of equalization on or before the fifth day of August next following the meeting of the county board of equalization.

The county board of equalization shall meet on the first Monday in July and may continue in session and adjourn from time to time during a period not to exceed four weeks, but shall remain in session not less than three days: PROVIDED, That, in addition to the several times fixed by statute, any county board of equalization may be reconvened for special or general purposes, but not later than three years after the date of adjournment of its regularly convened session by order of the department of revenue: PROVIDED FURTHER, That the county board of equalization may convene at any time when petitions filed exceed 25, or 10 percent of the number of appeals filed in the preceding year.

No taxes, except special taxes, shall be extended upon the tax rolls until the property valuations are equalized by the state board of equalization for the purpose of raising the state revenue.

Boards of county commissioners as such shall at no time have any authority to change the valuation of the property of any person or to release or commute in whole or in part the taxes due on the property of any person."

On page 1, line 3 of the title after "RCW 84.08.130" strike the period and insert "; amending section 84.48.010, chapter 15, Laws of 1961 and RCW 84.48.010 as amended by section 2, chapter 55, Laws of 1970 ex. sess."

Representatives Winsley and Sommers spoke in favor of the amendments, and they were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2451 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2451 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Embody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruiitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Deccio, Gaines, Gruger, Leckenby, Lee, O'Brien, Sanders, Vrooman.

Engrossed Senate Bill No. 2451 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. 2419**, as amended by the House, by Senators Woody, Clarke, Francis and Herr:

Excluding law enforcement officers from the prohibition on recording private communications.

The bill was read the third time and placed on final passage.

Mr. Enbody spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2419 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 6; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Burns, Charnley, Ehlers, Newhouse, Shinoda, Shinpoch.

Not voting: Representatives Adams, Becker, Deccio, Gaines, Gruger, Heck, Leckenby, Lee, O'Brien, Sanders, Vrooman.

Engrossed Senate Bill No. 2419 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 SUBSTITUTE SENATE BILL NO. 2593**, by Committee on Higher Education (Originally sponsored by Senators Sandison and Guess):

Authorizing certain community college programs for military personnel and their dependents, department of defense civilians and their dependents and for U.S. veterans.

The bill was read the third time and placed on final passage.

Ms. Erickson 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. 2593, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Deccio, Gaines, Gruger, Leckenby, Lee, O'Brien, Pardini, Sanders, Vrooman.

Engrossed Substitute Senate Bill No. 2593, 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. 2634**, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Revising the legislative intent statement on environmental protection of the Columbia River Gorge.

The bill was read the third time and placed on final passage.

Representatives Heck and Zimmerman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2634, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmittens, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Blair, Deccio, Gaines, Gruger, Leckenby, Lee, O'Brien, Sanders, Vrooman.

Substitute Senate Bill No. 2634, 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. 2493, as amended by the House, by Committee on Higher Education (Endorsed by Senators Sandison, Donohue, Goltz, Benitz, Odegaard, Guess and Scott):

Making miscellaneous changes in the community college law.

The bill was read the third time and placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2493 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmittens, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Greengo, Pardini.

Not voting: Representatives Adams, Deccio, Gaines, Leckenby, Lee, O'Brien, Sanders, Vrooman.

Senate Bill No. 2493 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. 3002, as amended by the House, by Senators McDermott and Bluechel:

Providing for the creation and management of a scenic river system.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Barr.

Mr. Barr: "In the House version of this bill, which is in Senate Rules Committee now, we adopted in the House that the Game Department would be the lead agency, is that right?"

Mr. Charnley: "Yes."

Mr. Barr: "Why should we yield now to a different department if it was agreed then? This seems inconsistent for us to do this. How much money is tied to this bill now? I opposed the House version because it had \$300,000 attached to it. I didn't oppose the bill; I opposed the money."

Mr. Charnley: "To answer your first question, Representative Barr, the Senate obviously felt the Parks Department should be the lead agency. It was a debate all the way through the history of these bills of what department should be the lead agency. In my personal opinion, the Game Department would still be the best agency, but I am satisfied the Parks Department

could handle it. The second question, your figure of \$300,000 is entirely incorrect. There is \$132,000 in the House bill and there is no money in this bill. There is no money appropriated at all."

Representatives Hansen and Shinoda spoke in opposition to the bill, and Mr. Charnley spoke again in favor of it.

#### POINT OF PERSONAL PRIVILEGE

Mr. Barr: "Representative Charnley said that my figures were not correct, and I'd like to respond to that. The correct figures are \$297,000 for the biennium."

#### POINT OF PERSONAL PRIVILEGE

Mr. Charnley: "The amount that was appropriated on the House bill was \$132,000. That came out of the Appropriations Committee."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3002 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 29; not voting, 10.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Greengo, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., Nelson G. A., North, Pardini, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bond, Charette, Clayton, Clemente, Craswell, Enbody, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Hansen, Keller, May, McCormick, Newhouse, Oliver, Owen, Paris, Patterson, Schmitt, Shinoda, Struthers, Tilly, Wilson.

Not voting: Representatives Adams, Berentson, Deccio, Erak, Gaines, Leckenby, Lee, O'Brien, Sanders, Vrooman.

Engrossed Senate Bill No. 3002 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.

Mr. O'Brien appeared at the bar of the House.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, as amended by the House, by Committee on Transportation (Originally sponsored by Senator Henry):

Relating to outdoor advertising.

The bill was read the third time and placed on final passage.

Mrs. McCormick spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Dunlap.

Mr. Dunlap: "Representative Conner, is it the intent of this 1977 amendatory act to require compensation only for signs and property taken after the effective date of this legislation?"

Mr. Conner: "That is correct, Representative Dunlap. The Sandison amendment, which this House adopted overwhelmingly, spoke to that and made it clear that it affects only those signs that would be taken down after the effective date of this act. It does not affect any signs which any city, by ordinance or regulation, has removed previous to this time."

Mr. Dunlap spoke in favor of passage of the bill, and Representatives Thompson, Charnley, Blair and Hurley (George) spoke against it.

#### POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Bond.

Mr. Bond: "Representative Dunlap, I wonder if you would give us the fiscal impact of this bill?"

Mr. Dunlap: "I'd be very happy to, Representative Bond. I'm glad you asked that question because there is no fiscal impact to this bill, to the state, to the local government. There is no

fiscal impact. It's important that you all recognize that. The people who talk of a \$750,000 fiscal impact to the City of Bellevue or \$3 million to the City of Seattle just don't understand the intent of this legislation. The only way that the fiscal impact comes about is if a sign is taken. That's the only place where the fiscal impact comes about. All the local governmental unit has to do is just allow the sign to remain in place and there will be no fiscal impact. It's only when the sign is taken that a fiscal impact comes about."

Mr. King demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2956 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Clemente, Dunlap, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Haley, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Schmitt, Struthers, Tilly, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Blair, Burns, Charney, Conner, Craswell, Douthwaite, Ehlers, Eng, Greengo, Gruger, Hanna, Hawkins, Hurley G. S., King, Kreidler, Lux, Lysen, Nelson D., North, Pruitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Williams.

Not voting: Representatives Adams, Deccio, Gaines, Leckenby, Lee, Sanders, Vrooman.

Engrossed Substitute Senate Bill No. 2956 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.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

#### MOTION

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

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2851, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Bailey and Donohue):

Revising state employees' insurance and health care.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2851 was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Burns.

Mr. Burns: "Representative Ehlers, the bill mandates that a health plan be offered. There are many faculty and employees in institutions of higher education that are participating in a long term disability insurance program which is funded entirely by the state contributions. What will be the effect of this bill on these programs?"

Mr. Ehlers: "I believe that the employees of higher education will still be able to participate. I believe there is an association process and so forth to continue a long term disability plan."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2851, and the bill passed the House by the following vote: Yeas, 73; nays, 0; not voting, 25.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Haley, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Smith, Sommers, Struthers, Taller, Tilly, Valle, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Blair, Bond, Charnley, Deccio, Dunlap, Eng, Gruger, Hanna, Hurley G. S., Hurley M., Leckenby, Lux, Lysen, Moreau, Oliver, Pardini, Patterson, Sanders, Shinoda, Shinpoch, Thompson, Vrooman, Warnke.

Engrossed Substitute Senate Bill No. 2851, 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 JOINT RESOLUTION NO. 113, by Senators Van Hollebeke, Francis, Washington, Jones, Day, Mardesich, Marsh, Murray, Goltz, Bailey, Benitz, von Reichbauer, Grant, Ridder, Bluechel, Walgren, Matson, Hayner, Bottiger, Sellar, Henry, Gaspard, Newschwander, Lewis, Woody and Bausch:

Amending the Constitution to increase the jurisdictional limits of justices of the peace.

The resolution was read the second time.

Committee on Constitution recommendation: Majority, do pass as amended. (For amendments, see Journal, 62nd Day ex. sess., May 11, 1977.)

Mrs. Fortson moved adoption of the committee amendments.

The committee amendments were not adopted.

On motion of Mrs. Fortson, the following amendments by Representatives Fortson, Knowles, Charette and Oliver were adopted:

On page 1, line 13 after "dollars" insert "or as otherwise determined by law"

On page 2, line 14 after "dollars" insert "or as otherwise determined by law"

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 113 as amended by the House was placed on final passage.

Mrs. Fortson spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 113 as amended by the House, and the resolution passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Blair, Charette, Charnley, Dunlap, Hanna, Leckenby, Lysen, Pardini, Sanders, Shinpoch, Thompson, Vrooman.

Senate Joint Resolution No. 113 as amended by the House, having received the constitutional two-thirds majority, was declared passed.

#### MOTIONS

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

On motion of Mr. Bender, House Resolution Nos. 77-29 and 77-32 were referred to Committee on Rules.

On motion of Mr. Bender, House Resolution No. 77-31 was referred to Committee on Energy and Utilities.

#### MOTION FOR RECONSIDERATION

Representative Pardini, having voted on the prevailing side, moved that the House reconsider the vote by which House Resolution No. 77-31 was referred to Committee on Energy and Utilities.

Mr. Pardini spoke in favor of the motion.

With the consent of the House, Mr. Pardini withdrew the motion.

## RESOLUTIONS

**HOUSE RESOLUTION NO. 77-34**, by Representatives O'Brien, Gallagher, May, Adams, Martinis, Knowles, Conner, Hurley (George), McCormick, Hurley (Margaret) and Bagnariol.

**WHEREAS**, Assistant State Treasurer Jack Taylor is concluding an outstanding 40-year career in public service; and

**WHEREAS**, During his public service career Jack Taylor has served ably and with distinction as State Land Commissioner and King County Commissioner, as well as the first director of the State Pollution Control Commission, as executive officer of the State Utilities and Transportation Commission, and for the past twelve years as Assistant State Treasurer of Washington; and

**WHEREAS**, In the various public offices he held, Jack Taylor always manifested a deep and understanding interest in public affairs and had the innate ability to get things done; and

**WHEREAS**, This diplomacy and tact in meeting the challenges and decisions of government was an outstanding tribute to Jack Taylor's personality and desire to get along with his associates; and

**WHEREAS**, Mr. Taylor has made many friends due to his kindness and humanitarian deeds which have created a lasting bond of friendships with people from every segment of our society in the State of Washington;

**NOW, THEREFORE, LET IT BE RESOLVED**, That the House of Representatives of the Forty-fifth Legislature of the State of Washington convey to Jack Taylor our best wishes and warmest regards on his retirement, that the remaining years' of his life be spent in fond remembrances of the successes he enjoyed in performing his executive duties in both elected and appointed positions for the benefit of the people in our State, and the awareness that his retirement from public service has left a great record of achievement that will be long remembered by his immediate associates and friends in the State of Washington;

**BE IT FURTHER RESOLVED**, That the Chief Clerk of the House of Representatives send a suitably inscribed copy of this resolution to Mr. Jack Taylor.

Mr. Conner moved adoption of the resolution.

Representatives Gallagher, O'Brien and Conner spoke in favor of the resolution and it was adopted.

The Speaker called on Mr. O'Brien to preside.

The Speaker (Mr. O'Brien presiding) appointed Representatives North, Kreidler, Keller and Winsley to escort Assistant State Treasurer and Mrs. Jack Taylor to the rostrum.

Mr. Taylor addressed the House briefly.

The Speaker (Mr. O'Brien presiding) presented Mr. Taylor with House Resolution No. 77-34, and requested the special committee to escort Mr. and Mrs. Taylor from the House Chamber.

## MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House reconsider the vote by which House Resolution No. 77-31 was referred to Committee on Energy and Utilities.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Boldt: "Mr. Speaker, can a member put a motion forward and then withdraw it and then place that motion again the same day?"

The Speaker (Mr. O'Brien presiding): "Representative Boldt, we are going to recognize Representative Pardini's motion to reconsider."

Representatives Pardini, Lysen, Dunlap, Martinis and Becker spoke in favor of the motion, and Representatives Lysen, Conner and Bond spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the action whereby House Resolution No. 77-31 was rereferred to Committee on Energy and Utilities, and the motion carried by the following vote: Yeas, 69; nays, 22; not voting, 7.



Voting yea: Representatives Amen, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Gruger, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Williams, Wilson, Zimmerman.

Voting nay: Representatives Barnes, Barr, Boldt, Bond, Conner, Fischer, Gaines, Gallagher, Grimm, Haley, Hansen, Lux, May, McKibbin, Oliver, Owen, Pearsall, Salatino, Walk, Warnke, Whiteside, Winsley.

Not voting: Representatives Adams, Hanna, Heck, Leckenby, Sanders, Vrooman, and Mr. Speaker.

#### MOTIONS

On motion of Mr. Bender, further consideration of House Resolution No. 77-31 was deferred and the resolution was ordered held for tomorrow's calendar.

On motion of Mr. Bender, House Resolution No. 77-35 was rereferred to Committee on Rules.

HOUSE RESOLUTION NO. 77-36, by Representatives Conner, O'Brien, Gallagher, McCormick, Charette, Erickson, Fischer, Vrooman and King:

WHEREAS, The delegates of the Grand Aerie of the Fraternal Order of Eagles at their 28th convention in the city of Seattle in August, 1926, finally and formally approved the creation and formation of Ladies Auxiliaries to the Fraternal Order of Eagles; and

WHEREAS, The first Ladies Auxiliary was instituted in March of 1927 in Pittsburg, Kansas which was followed three days later by an auxiliary in Frontenac, Kansas; and

WHEREAS, The Oak Park Auxiliary No. 1714 in Sacramento, California is the oldest remaining Auxiliary; and

WHEREAS, The Grand Auxiliary was formally created on August 14, 1952, for the purpose of aiding the Fraternal Order of Eagles in carrying out its humanitarian, patriotic, and other causes and to promote the objectives of the Fraternal Order of Eagles; and

WHEREAS, The Ladies Auxiliary of the Fraternal Order of Eagles is known as the fastest growing womens' organization in the world; and

WHEREAS, Today there exists over 1500 Auxiliaries with a total membership of approximately 250,000 women enjoying companionable affiliation and the opportunity of helping others through their own Local, State, and Grand Aerie and Grand Auxiliary programs; and

WHEREAS, In 1952 when the Grand Auxiliary was instituted the ladies adopted as their first major project the raising of funds for research in the field of Muscular Dystrophy and pledged to find its cause and cure before ceasing their efforts on this humanitarian project; and

WHEREAS, In 1958 Auxiliary members raised about fifteen thousand dollars and completely furnished the Eagle recreation and dormitory at Home on the Range for Boys in Sentinel Butte, North Dakota; and

WHEREAS, In 1967 the women completed a project in which they built and furnished a residence hall for girls at High Sky Girls Ranch near Midland, Texas; and

WHEREAS, In addition, full participation on the part of the Auxiliaries has been forthcoming in Grand Aerie programs such as the Max Baer Heart Fund, Jimmy Durante Children's Fund, Art Ehrmann's Cancer Fund, Eagle Village in Florida, the Bird Memorial Library, the Hearing Aid Program, the Bald Eagle Program, Jobs After Forty, the Golden Eagle Fund, Retired Eagles Activities Clubs, and the Virginia Turner Memorial Center operating in conjunction with CARE; and

WHEREAS, Funding for these projects is obtained by the hard work of the Auxiliaries in activities such as rummage sales, bake sales, penny marches, dinners, luncheons, and card parties;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commemorates the creation and formation of the Ladies Auxiliaries of the Fraternal Order of Eagles on the fiftieth anniversary of the institution of the first Ladies Auxiliaries and applauds their many humanitarian goals and activities; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House to the Grand Worthy President of the Grand Aerie and the Grand Madam President of the Grand Auxiliary of the Fraternal Order of Eagles and to each active local Aerie in the state.

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

## MOTION

On motion of Mr. Bender, the House reverted to the seventh order of business.

## THIRD READING

ENGROSSED SENATE BILL NO. 2990, as amended by the House, by Senator Francis:

Exempting from the gambling laws antique slot machines if not used for gambling purposes.

The bill was read the third time and placed on final passage.

Representatives Warnke and Fuller spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2990 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 15; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Charette, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hansen, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Chandler, Charnley, Clayton, Greengo, Hawkins, Lee, Moreau, Nelson D., Paris, Tilly, Williams, Zimmerman.

Not voting: Representatives Adams, Berentson, Hanna, Heck, Hughes, Leckenby, Sanders, Vrooman.

Engrossed Senate Bill No. 2990 as amended by the House, having received the constitutional sixty percent 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. 3098, by Committee on Financial Institutions and Insurance (Originally sponsored by Senator Herr):

Excluding certain information from driving record abstracts furnished to insurance companies.

The bill was read the third time and placed on final passage.

Mr. Conner 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. 3098, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Hanna, Leckenby, Sanders, Vrooman.

Engrossed Substitute Senate Bill No. 3098, 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. 2675, by Senators Francis and Clarke:

Modifying the penalty for the taking of certain merchandise.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2675, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Williams.

Not voting: Representatives Adams, Berentson, Douthwaite, Hanna, Kreidler, Leckenby, Sanders, Sommers, Vrooman.

Senate Bill No. 2675, 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. 2211, by Senators Talley, Bausch and Marsh (by Department of Natural Resources request):

Authorizing commission on harbor lines to change harbor lines.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2211, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Hanna, Leckenby, Sanders, Vrooman.

Engrossed Senate Bill No. 2211, 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. King, the House adjourned until 9:30 a.m., Tuesday, May 24, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 24, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams and Leckenby, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elizabeth Munro and Scott Snyder. Prayer was offered by Reverend Glen Cole of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2114, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2241, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2244, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2273, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2444, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2638, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2975, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2310, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2356, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2485, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2747, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2924, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 797,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 821,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 20, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2877,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 121,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 161,  
SUBSTITUTE HOUSE BILL NO. 267,  
HOUSE BILL NO. 298,  
SUBSTITUTE HOUSE BILL NO. 314,  
SUBSTITUTE HOUSE BILL NO. 327,  
HOUSE BILL NO. 376,  
SUBSTITUTE HOUSE BILL NO. 440,  
SUBSTITUTE HOUSE BILL NO. 675,  
HOUSE BILL NO. 683,  
HOUSE BILL NO. 691,

HOUSE BILL NO. 927,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 23, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2081,  
 SENATE BILL NO. 2189,  
 SENATE BILL NO. 2200,  
 SENATE BILL NO. 2288,  
 SUBSTITUTE SENATE BILL NO. 2399,  
 SENATE BILL NO. 2400,  
 SENATE BILL NO. 2408,  
 SUBSTITUTE SENATE BILL NO. 2489,  
 SUBSTITUTE SENATE BILL NO. 2565,  
 SUBSTITUTE SENATE BILL NO. 2591,  
 SUBSTITUTE SENATE BILL NO. 2619,  
 SENATE BILL NO. 2831,  
 SENATE BILL NO. 2868,  
 SENATE BILL NO. 3004,  
 SENATE BILL NO. 3058,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, by Committee on Constitution and Elections (Originally sponsored by Senators Goltz, Bailey, Sellar and Newschwander - by Joint Board of Legislative Ethics request):

Revising laws on ethics and disclosure.

To Committee on Elections and Governmental Ethics

SENATE CONCURRENT RESOLUTION NO. 121, by Senators Walgren, Sandison, Matson and Newschwander:

Amending Senate Concurrent Resolution No. 113.

## MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 121 was advanced to second reading and read the second time in full.

Mr. King moved that the rules be suspended, the second reading considered the third, and Senate Concurrent Resolution No. 121 be placed on final passage.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Newhouse.

Mr. Newhouse: "I understand this is another concurrent resolution, fourth in a series, which would extend our session supposedly another seven days. But what is the need for that? We also understand that Senate Rules Committee has not been meeting to put essential matters, such as pensions, on the calendar. Can we somehow prod them to accomplish some of the necessary business and pass a few House bills without this continual extension of time?"

## POINT OF ORDER

Mr. King: "Mr. Speaker, I believe it's against the House rules to refer to the other body in discussion of these matters."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The question before you is the motion to suspend the rules. Our rules provide for one speaker to speak for and one to speak against suspension of the rules."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, as I understand it, Representative King yielded to a question, and then refused to answer the question on grounds that it's against the House rules to refer to the other body. We're dealing with a Senate Concurrent Resolution dealing with an operation between the two houses. Obviously you have to speak about the other house and understand what's in the other houses' mind in order for this body to take any action intelligently at all. Under those conditions it seems to me it's simply an evasion for Representative King not to respond to Representative Newhouse's question. I think the Chair should direct him to respond."

The Speaker (Mr. O'Brien presiding): "Are you speaking for or against suspension of the rules?"

Mr. Polk: "Mr. Speaker, that was a parliamentary inquiry."

The Speaker (Mr. O'Brien presiding): "What is your inquiry?"

Mr. Polk: "When a member has yielded to another member for purpose of a question, are they able to decline to answer the question once they have yielded?"

The Speaker (Mr. O'Brien presiding): "You're going into the rights of a member. A member has the right to either answer the question or not answer the question. It isn't up to the Speaker to tell a member how to answer."

Mr. Polk: "The House rule which says that we are not to refer to the other body—that is, the Senate—isn't it a stretching of the rule to say that you cannot refer to them when we are dealing with a Senate Concurrent Resolution? In other words, Mr. Speaker, isn't it within the House rules and rights of the members to fully discuss a resolution that is before us—in this case a resolution dealing with the affairs of both bodies and how the Legislature shall operate or cease to operate? I'm asking the Chair to rule that it is not a violation of the House rules to speak of the other body in dealing with such matters."

The Speaker (Mr. O'Brien presiding): "You're involved with something that's extraneous. If you want to talk to me later about how to take care of the Senate, I'll be very happy to do that."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, suspension of the rules to adopt this concurrent resolution would take a two-thirds vote of this body. If the body does not give a two-thirds vote, what are the implications for this body being legally adjourned?"

The Speaker (Mr. O'Brien presiding): "If the body refuses to grant the two-thirds vote necessary to advance the resolution to third reading, the resolution will be sent to the Rules Committee."

Mr. Pardini: "Would Senate Concurrent Resolution No. 120 come into effect then? And we would have no standing? That told us we were going to quit yesterday. I raise the point of parliamentary inquiry, Mr. Speaker, because if it's going to affect the way several people vote on this, perhaps the majority leader would give us an explanation of why we should suspend the rules and go along with it."

The Speaker (Mr. O'Brien presiding): "Representative Pardini, your questions really aren't in the area of parliamentary matters for me to rule on. The question of whether the determination of adjournment date and whether that affects Senate Concurrent Resolution No. 120, and that adjournment, is not for the Speaker to make that decision."

Mr. King spoke in favor of the motion.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to suspend the rules and advance Senate Concurrent Resolution No. 121 to final passage.

Mr. Berentson spoke against the motion.

## SPEAKER'S ADMONITION (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 48 states in part, 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.' You may speak your opposition to the motion briefly."

Mr. Berentson continued his remarks in opposition to the motion.

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Senate Concurrent Resolution No. 121.

Mr. King spoke in favor of the resolution, and Mr. Polk spoke against it.

Senate Concurrent Resolution No. 121 was adopted.

## SECOND READING

ENGROSSED SENATE BILL NO. 2282, by Senator Grant:

Simplifying reporting requirements for campaign treasurers.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day ex. sess., April 5, 1977.)

Mr. Hawkins moved adoption of the committee amendment.

On motion of Mr. Hawkins, the following amendment to the committee amendment was adopted:

On page 13, line 26 beginning with "Any" strike all the material down to and including "made" on line 38 and insert "Any person owning or controlling a newspaper or periodical published within the state of Washington for sale to the public, and any person who is the owner, licensee, or operator of a radio or television station broadcasting from the state of Washington, who, exercising control over the editorial policy of the media unit involved, permits, authorizes or makes any editorial comment on any ballot proposition shall file a report with the commission disclosing any financial interest said person has in the outcome of the ballot proposition: PROVIDED, That a financial interest of a person which exists solely because of his membership in the general public, or in any significant economic or other segment of the general public need not be disclosed.

The report shall be made in the form and manner prescribed by the commission and shall be filed within three days after the editorial comment is first published or broadcast."

Mr. Barnes moved adoption of the following amendment to the committee amendment:

On page 13, line 23 strike all of section 7 and renumber the remaining sections consecutively.

Mr. Barnes spoke in favor of the amendment to the committee amendment, and Mr. Hawkins spoke against it.

Mr. Polk demanded an electric roll call vote and the demand was sustained.

## POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "In the amendment which just passed, it provided interest—financial interest of a person would exist only because of his membership, etc, of any significant economic or other segment of the general public. I'm troubled by the language, 'any significant economic segment of the general public.' Could you explain what you believe that to mean?"

Mr. Hawkins: "That language is intended to put an individual in a class of individuals and they would not be responsible for expressing an opinion that they might otherwise be the sole beneficiary in stating an editorial opinion."

Mr. Douthwaite: "For example, if the newspaper owner is also the owner of a large block of stock in some corporation, would that be considered to be a significant economic segment of the general public?"

Mr. Hawkins: "That's really not what that language is referring to. If that editor were expressing an opinion independent through a membership in a class of individuals, independent of his role as a newspaper editor."



Representatives Zimmerman, Wilson, Kilbury and Polk spoke in favor of the amendment, and Mr. Nelson (Dick) spoke against it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Ehlers.

Mr. Ehlers: "Do you belong to some organization or association of newspaper editors or some trade organization of publishers?"

Mr. Zimmerman: "Yes, I do."

Mr. Ehlers: "Do you have within your organization some canon of ethics of your organization that if an editor or an owner of a newspaper or publisher of a newspaper were to find such an owner of a newspaper or publisher who was, in fact, using the editorial page, had an large vested personal interest, material interest, are there provisions in your organization to cover that kind of situation?"

Mr. Zimmerman: "We have certain canons of journalism and, hopefully, ethics that we try to follow but we are a group of the most independent, hardheaded, rather mixture of people like some in this body, and we have attempted at times to—well, we tend to speak our own language, but I would have to be the first to admit that with the independence shown by some, we have some bad apples like every organization. I would hope that they are brought to task within their own community when they get out of line."

Representatives Ehlers and McKibbin spoke in opposition to the amendment, and Representatives Hurley (George) and Amen spoke in favor of it.

On motion of Mr. Boldt, Representative Hawkins was granted an additional three minutes to speak on the question.

Representatives Hawkins and Douthwaite spoke against the amendment, and Representatives Pardini, Haley and Bond spoke in favor of it.

#### POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Hughes.

Mr. Hughes: "A very serious concern was brought up by Representative Pardini. He has placed an innuendo in front of us that if this amendment is adopted, anybody who is in any way connected with the publication or presentation of an article is, in effect, going to be forced to disclose and I feel that might be in error. I would like you to address that, Representative Hawkins."

Mr. Hawkins: "Representative Pardini was describing a political committee and under the Public Disclosure Act, political committees already have to file. They not only have to file their affiliations, but they have to file their expenditures and contributions, so he was not defining a newspaper in the state of Washington."

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Pardini, who were you referring to in your comments?"

Mr. Pardini: "Under section 7 of the bill, Representative Patterson, it says, 'Any person,' not a political committee. I was referring to contractual arrangements in the public media which allows people to write syndicated newspaper columns, bi-line stories, make editorial comments on radio or television, beyond the control of the editor. I believe that section 7 would extend to that; would extend to labor publications, trade publications, anything along that line. I think they are all in section 7."

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Ms. Becker.

Ms. Becker: "Are you reading section 7 in the committee amendment or the amendment that was adopted?"

Mr. Pardini: "I'm reading section 7 in the House Committee amendment."

Mr. Smith spoke against adoption of the amendment to the committee amendment, and Mr. Barnes closed debate, speaking again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to the committee amendment to Engrossed Senate Bill No. 2282, and the amendment was adopted by the following vote: Yeas, 61; nays, 30; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bender, Berentson, Boldt, Bond, Charette, Clayton, Craswell, Deccio, Dunlap, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Maxie, May, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitten, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Blair, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Enbody, Erak, Fischer, Gaines, Hawkins, Heck, Hughes, Hurley G. S., Kreidler, Lux, Lysen, Martin, McKibbin, Nelson D., Owen, Pruitt, Sherman, Shipoch, Sommers, Valle, Warnke.

Not voting: Representatives Adams, Fortson, Hanna, Hansen, Leckenby, Moreau, and Mr. Speaker.

## STATEMENT FOR THE JOURNAL

Because the question of the Journalist's Code of Ethics was asked me on the floor of the House by Representative Wayne Ehlers, I would like to include what I consider to be one of the finest statements on Journalism and one which I personally believe, written by Walter Williams, Dean of the School of Journalism, University of Missouri:

"I believe that the public journal is a public trust; that all connected with it are, to the full measure of their responsibility, trustees for the public; that acceptance of a lesser service than the public service is betrayal of this trust.

"I believe that clear thinking and clear statement, accuracy, and fairness, are fundamental to good journalism.

"I believe that a journalist should write only what he holds in his heart to be true.

"I believe that suppression of the news, for any consideration other than the welfare of society, is indefensible.

"I believe that no one should write as a journalist what he would not say as a gentleman; that bribery by one's own pocketbook is as much to be avoided as bribery by the pocketbook of another; that individual responsibility may not be escaped by pleading another's instructions or another's dividends.

"I believe that advertising, news and editorial columns should alike serve the best interests of readers; that a single standard of helpful truth and cleanness should prevail for all; that the supreme test of good journalism is the measure of its public service.

"I believe that the journalism which succeeds best—and best deserves success—fears God and honors man; is stoutly independent, unmoved by pride of opinion or creed of power, constructive, tolerant but never careless, self-controlled, patient, always respectful of its readers but always unafraid, is quickly indignant at injustice; is unswayed by the appeal of privilege or the clamor of the mob; seeks to give every man a chance, and, as far as law and honest wage and recognition of human brotherhood can make it so, and equal chance; is profoundly patriotic while sincerely promoting international good will and cementing world comradeship; is a journalism of humanity, of and for today's world."

HAL ZIMMERMAN, 17th District.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2081,  
 SENATE BILL NO. 2189,  
 SENATE BILL NO. 2200,  
 SENATE BILL NO. 2288,  
 SUBSTITUTE SENATE BILL NO. 2399,  
 SENATE BILL NO. 2400,  
 SENATE BILL NO. 2408,  
 SUBSTITUTE SENATE BILL NO. 2489,  
 SUBSTITUTE SENATE BILL NO. 2565,  
 SUBSTITUTE SENATE BILL NO. 2591,  
 SUBSTITUTE SENATE BILL NO. 2619,  
 SENATE BILL NO. 2831,  
 SENATE BILL NO. 2868,

SENATE BILL NO. 3004,  
SENATE BILL NO. 3058.

The Speaker (Mr. O'Brien presiding) stated the House to be at ease until 1:30 p.m.  
The Speaker (Mr. Charnley presiding) called the House to order.

SECOND READING

On motion of Mr. Bender, further consideration of Engrossed Senate Bill No. 2282 was deferred, and the bill was ordered to hold its place on the second reading calendar.

SENATE BILL NO. 2061, by Senators Day, Jones and Buffington:

Regulating proprietary hospitals.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 53rd Day ex. sess., May 2, 1977.)

On motion of Mr. Pruitt, the committee amendment was adopted.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Senate Bill No. 2061 as amended by the House was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2061 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 0; not voting, 16.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knowles, Kreidler, Lee, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Burns, Erak, Hanna, Keller, Knedlik, Leckenby, Lux, Martinis, Maxie, Moreau, Owen, Pardini, Polk, Vrooman.

Senate Bill No. 2061 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. 2107, by Committee on Local Government (Originally sponsored by Senators Sellar, Talley and Fleming):

Allowing increased occupancy of drinking establishments under state building code.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2107 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2107, and the bill passed the House by the following vote: Yeas, 83; nays, 4; not voting, 11.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Gallagher, Paris, Zimmerman.

Not voting: Representatives Adams, Barnes, Bond, Craswell, Hanna, Leckenby, Lux, Moreau, Owen, Pardini, Salatino.

Substitute Senate Bill No. 2107, 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. 2445, by Committee on Commerce (Originally sponsored by Senators Wojahn, Mardesich and Donohue):

Regulating automotive repair.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Warnke, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2445 as amended by the House was placed on final passage.

Representatives Warnke and Greengo spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2445 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 15; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Craswell, Flanagan, Gilleland, Haley, Hansen, Patterson, Schmitt, Struthers, Tilly, Zimmerman.

Not voting: Representatives Adams, Deccio, Eng, Hanna, Leckenby, Moreau, Owen, Winsley.

Substitute Senate Bill No. 2445 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.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. Charnley presiding) announced the Speaker was signing:  
HOUSE BILL NO. 797,  
SUBSTITUTE HOUSE BILL NO. 821.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2731, by Committee on Commerce (Originally sponsored by Senators Ridder, Morrison and Grant):

Providing for designation of specialty plumbers and revising other laws on plumbing.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2731 was placed on final passage.

Representatives Lux and Newhouse 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. 2731, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Gilleland, Lysen, Shinoda.

Not voting: Representatives Adams, Leckenby, Moreau, Owen.

Engrossed Substitute Senate Bill No. 2731, 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. King moved that the House immediately consider Engrossed Substitute Senate Bill No. 2268.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Greengo: "I wonder if the majority floor leader could be so kind as to inform the rest of the House membership as to what order these bills are going to be popping out of the hat, so that we might have a chance to go ahead and read the digest on what we are going to be talking about?"

The Speaker (Mr. Charnley presiding): "Your request is noted. We'll see if we can make that information available."

ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, by Committee on State Government (Originally sponsored by Senators Bausch, Ridder and Talley):

Permitting OPP&FM to establish per diem rates.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 53rd Day ex. sess., May 2, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

\* On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2268 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Amen.

Mr. Amen: "Representative Ehlers, could you tell us how much this will cost for the next biennium?"

Mr. Ehlers: "I'm afraid I don't know the exact amount of money. My understanding is that the digest apparently has in the neighborhood of \$10,900,000. The measure itself, of course, I believe was considered in the budget-making process by OPP&FM and whatever rate is set would have to be approved later on. In my understanding the rate is now thirteen cents and they are planning to go to fourteen cents next year. This would be absorbed by the agency, and the fiscal impact would be absorbed by various agencies. In many cases this was taken into consideration in the budget request."

Mr. Amen: "One further question. Do I understand you to say then, that this will not be in addition to what we have appropriated, that it will be absorbed by the agencies?"

Mr. Ehlers: "That's my understanding of it. Perhaps Representative Shinpoch could clarify."

Mr. Shinpoch: "Representative Amen, it is my understanding that the budget was built on fifteen cents a mile as an example, and that relative to the per diem that it was built to what would go from twenty-five to thirty and thirty-five to fifty for out of state, and those kinds of things. It is my understanding that that amount of money is in there now. In any event there is not additional money appropriated into this, so the only thing that could occur, if my understanding is correct, the only thing that could occur under this bill would be that they could use any savings that could accrue in order to provide that for the agencies."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2268 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer,

Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., North, O'Brien, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bond, Clayton, Craswell, Dunlap, Eng, Fancher, Flanagan, Gilleland, Hawkins, Nelson D., Newhouse, Oliver, Paris, Schmittens, Zimmerman.

Not voting: Representatives Adams, Leckenby, Moreau, Owen.

Engrossed Substitute Senate Bill No. 2268 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 AMENDMENTS TO HOUSE BILL

May 19, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 183 with the following amendments:

On page 3, line 26 after "located" and before the period strike "or the county of domicile" and insert "; the county of domicile, or the county wherein a parent of the alleged incompetent or disabled person is domiciled"

On page 6, line 28 after "motion" and before "appoint" strike "may" and insert "shall"

On page 7, line 4 after "physician" strike all of the material down to and including "amended" on line 6

On page 7, line 24 after "guardian," and before "the court" insert "except as provided herein,"

On page 8, line 5 after "her" strike all of the material down to and including "petition" on line 7 and insert "child"

On page 9, add a new subsection following subsection (3) and renumber the remaining subsections consecutively:

'(4) If the petition is brought by an interested person or entity requesting the appointment of some other qualified person or entity and a prospective guardian or limited guardian cannot be found, the court shall order the guardian ad litem and any other qualified person or organization to investigate the availability of a possible guardian or limited guardian and to include the findings in a report to the court pursuant to RCW 11.88.090(3)(b).'

On page 9, strike all of subsection (5)

On page 16, line 5 after "consent to" and before "only after" on line 12 strike "therapy or other procedure which induces convulsion or to a surgical procedure solely for the purpose of sterilization or psychosurgery or to an amputation or other major surgical procedure except as an emergency life saving measure. A guardian or limited guardian who believes such procedures to be necessary for the proper care and maintenance of the incompetent or disabled person shall petition the court for an order to consent to such a procedure. The court may order such a procedure" and insert ";"

(a) Therapy or other procedure which induces convulsion;

(b) Surgical or chemical procedure solely for the purpose of sterilization;

(c) Psychosurgery, amputation or other major surgical procedure except as an emergency life saving measure;

(d) Other psychiatric/mental health procedures which are intrusive on the person's body integrity, physical freedom of movement, or the rights set forth in RCW 71.05.370;

(e) Placement in a residential facility for nursing or other care when the alleged incompetent or disabled person cannot or will not give informed consent;

(f) Court determination of the total incompetency of the alleged incompetent or disabled person.

A guardian or limited guardian who believes such procedures to be necessary for the proper care and maintenance of the incompetent or disabled person shall petition the court for such order. The court may make such order"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Knowles, the House refused to concur in the Senate amendments to Substitute House Bill No. 183, and asked the Senate for a conference thereon.

### SENATE AMENDMENTS TO HOUSE BILL

May 16, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 353 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.010 are each amended to read as follows:

It is the intent of the legislature of the state of Washington to provide a method of compensating and assisting (~~(those residents of the state who are)~~) innocent victims of criminal acts (~~(and)~~) who suffer bodily injury or death as a consequence thereof. To that end, it is the intention of the legislature to make certain of the benefits and services which are now or hereafter available to injured workmen under Title 51 RCW also available to innocent victims of crime as defined and provided for in this chapter.

Sec. 2. Section 2, chapter 122, Laws of 1973 1st ex. sess. as amended by section 1, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter shall have the following meanings unless the context otherwise requires:

(1) 'Department' means the department of labor and industries.

(2) 'Criminal act' means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state: PROVIDED, That the operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless the injury or death was intentionally inflicted or the operation thereof was part of the commission of another criminal act as defined in this section: PROVIDED FURTHER: (a) That neither an acquittal in a criminal prosecution nor the absence of any such prosecution shall be admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding; (b) that evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter shall be admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; (c) that acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct shall be deemed to be criminal conduct within the meaning of this chapter.

(3) 'Victim' means a (~~(resident of the state)~~) person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' shall be interchangeable with 'employee' or 'workman' as defined in chapter 51.08 RCW as now or hereafter amended.

(4) 'Child', 'accredited school', 'dependent', 'beneficiary', 'average monthly wage', 'director', 'injury', 'invalid', 'permanent partial disability', and 'permanent total disability' shall have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

~~((6) 'Resident', for the purpose of eligibility for benefits under this chapter, means a person who has been in this state for thirty days or has clearly signified an intent to remain in this state for at least thirty days.))~~

Sec. 3. Section 5, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.050 are each amended to read as follows:

No right of action at law (~~(against a person who has committed a criminal act,))~~ for damages incurred as a consequence of (~~(such)~~) a criminal act(;) shall be lost as a consequence of (~~(receiving)~~) being entitled to benefits under the provisions of this chapter. In the event any person (~~(receiving)~~) entitled to benefits under this chapter additionally seeks a remedy for damages (~~(from the person or persons who have committed the criminal act resulting in damages)~~) incurred as a consequence of a criminal act, then and in that event the department shall be subrogated to the rights of such person to and have a lien upon any recovery so made to the extent of the (~~(payments made)~~) benefits paid or payable by the department to or on behalf of such person under this chapter.

Sec. 4. Section 6, chapter 122, Laws of 1973 1st ex. sess. as amended by section 2, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.060 are each amended to read as follows:

For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(1) An application for benefits is not received by the department within one (~~(hundred eighty days)~~) year after the date of the criminal act (~~(or one hundred twenty days after the date of death of the victim,))~~ or the date the rights of dependents or beneficiaries accrued, (~~(if such is the case,))~~ or

(2) The criminal act is not reported by the victim or someone on his behalf to a local police department or sheriff's office within seventy-two hours of its occurrence or, if it could not reasonably have been reported within that period, within seventy-two hours of the time when a report could reasonably have been made.

Sec. 5. Section 7, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, (~~(51.32.070)~~) 51.32.072, 51.32.073, 51.32.180, 51.32.190 and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation or incitement by the victim;

(b) The result of an act or acts committed by a person living in the same household with the victim;

(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption or marriage, or the parent of the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim;

(d) The result of the victim assisting, attempting, or committing a criminal act; or

(e) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That in the event the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses as provided in RCW 51.32.050 as now or hereafter amended and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits shall be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That in the event a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, such victim shall receive monthly during the period of such disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of such average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of such average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of such average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of such average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of such average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of such average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of such average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of such average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of such average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of such average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of such average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of such average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That no person shall be eligible for temporary total



disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended shall apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160 and 51.32.210 as now or hereafter amended shall be applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person nor spouse, child, or dependent of such person shall be entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict any perpetrator of the criminal act which gave rise to such claim.

Sec. 6. Section 9, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.075 are each amended to read as follows:

Notwithstanding the provisions of any of the sections, as now or hereafter amended, of Title 51 RCW which are made applicable to this chapter, the marital status of all victims shall be deemed to be fixed as of the date of the criminal act. All references to the child or children living or conceived of the victim in this chapter shall be deemed to refer to such child or children as of the date of the criminal act unless the context clearly indicates the contrary.

Payments for or on account of any such child or children shall cease when such child is no longer a 'child' as defined in RCW (~~(51.32.005)~~) 51.08.030, as now or hereafter amended, or on the death of any such child whichever occurs first.

Payments to the victim or surviving spouse for or on account of any such child or children shall be made only when the victim or surviving spouse has legal custody of any such child or children. Where the victim or surviving spouse does not have such legal custody any payments for or on account of any such child or children shall be made to the person having legal custody of such child or children and the amount of payments shall be subtracted from the payments which would have been due the victim or surviving spouse had legal custody not been transferred to another person.

Sec. 7. Section 11, chapter 122, Laws of 1973 1st ex. sess. as amended by section 5, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.110 are each amended to read as follows:

The provisions contained in chapter 51.52 RCW as now or hereafter amended relating to appeals shall govern appeals under this chapter: PROVIDED, That no provision contained in chapter 51.52 RCW concerning employers as parties to any settlement, appeal or other action shall apply to this chapter: PROVIDED FURTHER, That appeals taken from a decision of the board of industrial insurance appeals under this chapter shall be governed by the provisions relating to judicial review of administrative decisions contained in RCW 34.04.130 and 34.04.140 as now or hereafter amended, and the department shall have the same right of review from a decision of the board of industrial insurance appeals as does the claimant.

Sec. 8. Section 13, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.130 are each amended to read as follows:

Benefits (~~(paid)~~) payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance, industrial insurance, or medical health or disability benefits available. Payment by the department under this chapter shall be secondary to such other insurance or benefits, notwithstanding the provision of any contract or coverage to the contrary: PROVIDED, That in the case of life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

NEW SECTION. Sec. 9. There is added to chapter 122, Laws of 1973 1st ex. sess. and to chapter 7.68 RCW a new section to read as follows:

Any law enforcement agency to which a criminal act has been reported, and which criminal act results in physical injury or death to a victim, shall make a reasonable effort to inform such victim or any surviving dependents thereof of the existence of this chapter and of the procedures for making application for benefits under this chapter: PROVIDED, That no failure to so inform shall affect the time limits specified in RCW 7.68.060.

NEW SECTION. Sec. 10. There is added to chapter 122, Laws of 1973 1st ex. sess. and to chapter 7.68 RCW a new section to read as follows:

(1) Whenever any person has been convicted of or has pleaded guilty to a criminal act by a court of competent jurisdiction of this state, which criminal act has involved a victim, there shall be imposed by the court upon such person a penalty assessment of fifty dollars, in addition to any other penalty or fine imposed by law.

(2) Whenever any person, accused of a criminal act involving a victim, posts bail pursuant to the provisions of chapter 10.19 RCW, and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment of fifty dollars, in addition to any other penalty or fine imposed by law.

(3) Notwithstanding any other provision of law, such penalty assessments shall be paid by the clerk of the court to the city or county treasurer, as the case may be, who shall monthly transmit such penalty assessments to the state treasurer. The state treasurer shall deposit such assessments in the crime victims

compensation account of the general fund in the state treasury, and all moneys derived from such assessments shall be used exclusively for the administration of this chapter.

Sec. 11. Section 4, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.040 are each repealed."

On page 1, on line 1 of the title after "crimes;" strike the remainder of the title and insert "amending section 1, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.010; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as amended by section 1, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68-.020; amending section 5, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.050; amending section 6, chapter 122, Laws of 1973 1st ex. sess. as amended by section 2, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.060; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.070; amending section 9, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.075; amending section 11, chapter 122, Laws of 1973 1st ex. sess. as amended by section 5, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.110; amending section 13, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.130; adding new sections to chapter 122, Laws of 1973 1st ex. sess. and to chapter 7.68 RCW; repealing section 4, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.040; and prescribing penalties."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Smith, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 353, and asked the Senate for a conference thereon.

#### SENATE AMENDMENTS TO HOUSE BILL

May 19, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 444 with the following amendments:

On page 1, line 10 after "mixed," insert "or who shall wilfully and maliciously inflict personal injury on another person,"

On page 1, line 11 after "property" insert "or to the person injured" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Knowles moved that the House do concur in the Senate amendments to House Bill No. 444.

Representatives Knowles, McKibbin, Hurley (Margaret) and Barnes spoke in favor of the motion, and Representatives Charette, Newhouse, Gruger and Kilbury spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Charette, the bill apparently takes care of those people who are capable of paying \$3,000. What about those people on welfare who don't have that capability? Would the Department of Social and Health Services pick up the fine?"

Mr. Charette: "No, the state is not responsible."

Mr. Smith spoke against the motion to concur in the Senate amendments.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to House Bill No. 444, and the motion was carried by the following vote: Yeas, 55; nays, 38; not voting, 5.

Voting yea: Representatives Amen, Barnes, Blair, Boldt, Bond, Clayton, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Knowles, Kreidler, Lee, Lux, Lysen, Maxie, McCormick, McKibbin, Nelson G. A., North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Sommers, Taller, Tilly, Walk, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Barr, Bauer, Becker, Bender, Berentson, Burns, Chandler, Charette, Charney, Clemente, Deccio, Enbody, Erak, Fuller, Gaines, Gallagher, Gruger, Heck, Keller, Kilbury, King, Martinis, May, Nelson D., Newhouse, Pardini, Pruitt, Salatino, Shinoda, Shinpoch, Smith, Struthers, Thompson, Valle, Vrooman, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Knedlik, Leckenby, Moreau, Owen.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charnley presiding) stated the question before the House to be final passage of House Bill No. 444 as amended by the Senate.

Mr. Conner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 444 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; nays, 19; not voting, 6.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Blair, Boldt, Bond, Burns, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Sommers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Becker, Berentson, Chandler, Charette, Charnley, Erak, Gallagher, Gruger, Kilbury, May, Newhouse, Pardini, Shipoch, Smith, Struthers, Thompson, Vrooman, Williams, Zimmerman.

Not voting: Representatives Adams, King, Leckenby, Moreau, Owen, Winsley.

House Bill No. 444 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 20, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 165 with the following amendments:

On page 1, strike lines 10 through 17

On page 1, line 28 after the semicolon strike "and"

On page 1, line 30 after "systems" strike the period and insert "; and

(4) To assist public water systems to meet reasonable standards of quality, quantity and pressure."

On page 2, line 18 after the semicolon and before "other" strike "or" and insert "and"

On page 2, line 28 after "treatment" insert "for purifying purposes only"

On page 4, line 16 after "developed" strike the period and insert ": PROVIDED, That nonmunicipally owned public water systems are exempt from the planning requirements of this act, except for the establishment of service area boundaries if they: (a) were in existence as of the effective date of this act; and (b) have no plans for water service beyond their existing service area, and (c) meet minimum quality and pressure design criteria established by the state board of health: PROVIDED FURTHER, That if the county legislative authority permits a change in development that will increase the demand for water service of such a system beyond the existing system's ability to provide minimum water service, the purveyor shall develop a water system plan in accordance with this section."

On page 4, line 25 after "of" and before "facilities" insert "public water system"

On page 5, line 5 after "programs," and before "developmental" strike "and" and insert "and/or"

On page 5, line 29 after "the" and before "find" strike "reviewing agencies" and insert "legislative authorities"

On page 6, line 1 after "the" and before "within" strike "reviewing agencies" and insert "legislative authorities"

On page 6, line 25 after "of" and before "critical" strike "a" and insert "the"  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Thompson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 165.

Representatives Thompson and Lee spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charnley presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 165 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 165 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 15; not voting, 6.

Voting yea: Representatives Barr, Bauer, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Oliver, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Clayton, Deccio, Fancher, Flanagan, Fortson, Hurley G. S., Kilbury, Newhouse, North, Patterson, Polk.

Not voting: Representatives Adams, Clemente, Hansen, Leckenby, Moreau, Owen.

Engrossed Substitute House Bill No. 165 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.

## MESSAGE FROM THE SENATE

May 23, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Knowles, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 2143, and asked the Senate for a conference thereon.

The Speaker (Mr. Charnley presiding) declared the House to be at ease.

The Speaker (Mr. Charnley presiding) called the House to order.

## MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Wednesday, May 25, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 25, 1977.

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 Adams, Gaines and Leckenby. Representatives Adams and Leckenby were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kelly Ellington and Tad Larson. Prayer was offered by Representative Paris.

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

## MESSAGE FROM THE GOVERNOR

May 24, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 24, 1977, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 27: Creating the small business committee and empowering it to review matters relating to small business enterprises.

HOUSE BILL NO. 104: Exempting volunteer firemen from the state minimum wage act.

SUBSTITUTE HOUSE BILL NO. 238: Revising law relating to public works contract.

HOUSE BILL NO. 445: Revising law relating to eminent domain.

HOUSE BILL NO. 495: Modifying definitions under unemployment compensation law.

HOUSE BILL NO. 553: Exempting certain theatre employees from the law establishing a minimum overtime wage.

HOUSE BILL NO. 582: Creating the Yakima River conservation area.

SUBSTITUTE HOUSE BILL NO. 601: Revising gambling laws on card games.

Sincerely,

Joe Zaspel, Legislative Assistant.

## MESSAGES FROM THE SENATE

May 24, 1977

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 24,

HOUSE BILL NO. 313,

SUBSTITUTE HOUSE BILL NO. 395,

ENGROSSED HOUSE BILL NO. 753,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 873,

HOUSE BILL NO. 921,

HOUSE BILL NO. 1229,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 24, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2453, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 24, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2956, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 24, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE JOINT RESOLUTION NO. 113, and has passed the resolution as amended by the House.

Bill Gleason, Assistant Secretary.

May 24, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2114,  
 SENATE BILL NO. 2211,  
 SENATE BILL NO. 2241,  
 SUBSTITUTE SENATE BILL NO. 2244,  
 SENATE BILL NO. 2273,  
 SENATE BILL NO. 2310,  
 SUBSTITUTE SENATE BILL NO. 2356,  
 SENATE BILL NO. 2444,  
 SENATE BILL NO. 2485,  
 SUBSTITUTE SENATE BILL NO. 2593,  
 SUBSTITUTE SENATE BILL NO. 2634,  
 SUBSTITUTE SENATE BILL NO. 2638,  
 SENATE BILL NO. 2675,  
 SENATE BILL NO. 2747,  
 SUBSTITUTE SENATE BILL NO. 2851,  
 SUBSTITUTE SENATE BILL NO. 2924,  
 SUBSTITUTE SENATE BILL NO. 2975,  
 SUBSTITUTE SENATE BILL NO. 3098,

SENATE CONCURRENT RESOLUTION NO. 121,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2114,  
 SENATE BILL NO. 2211,  
 SENATE BILL NO. 2241,  
 SUBSTITUTE SENATE BILL NO. 2244,  
 SENATE BILL NO. 2273,  
 SENATE BILL NO. 2310,  
 SUBSTITUTE SENATE BILL NO. 2356,  
 SENATE BILL NO. 2444,  
 SENATE BILL NO. 2485,  
 SUBSTITUTE SENATE BILL NO. 2593,  
 SUBSTITUTE SENATE BILL NO. 2634,  
 SUBSTITUTE SENATE BILL NO. 2638,  
 SENATE BILL NO. 2675,  
 SENATE BILL NO. 2747,  
 SUBSTITUTE SENATE BILL NO. 2851,  
 SUBSTITUTE SENATE BILL NO. 2924,  
 SUBSTITUTE SENATE BILL NO. 2975,  
 SUBSTITUTE SENATE BILL NO. 3098,

SENATE CONCURRENT RESOLUTION NO. 121.

## MESSAGE FROM THE SENATE

May 24, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 2082, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 19, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2082 as amended by the House, establishing procedures for abolishing state agencies, have had the same under consideration and we recommend that the House amendment be adopted with the following amendments:

On page 8, line 32 of the House amendment, strike all of subsection (b) and reletter the remaining subsections consecutively.

On page 9, beginning on line 1 of the House amendment, after "board" insert a period and strike all material down to and including "RCW)." on line 3.

On page 9, line 21 of the House amendment, after "14" strike ", 16, and 17" and insert "and 16"

Beginning on page 10, line 36 of the House amendment, strike all of subsections (25) through (36) down to and including line 15, page 11, and renumber the remaining subsections consecutively.

Beginning on page 13, line 20 of the House amendment, strike all of section 17 down through line 16, page 15, and renumber the remaining sections consecutively.

Amend the title—On page 16 of the House amendment, beginning on line 36, after "RCW 18.28.910;" strike all material down to and including "RCW 18.50.900;" on page 17, line 8.

Amend the title—On page 18 of the House amendment, beginning on line 31, after "RCW 88.04.280;" strike all the material down to and including "RCW 19.09.910;" on page 20, line 10.

Signed by Senators Gould, Wilson; Representatives Ehlers, Taller, Walk.

## MOTION

On motion of Mr. Ehlers, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Substitute Senate Bill No. 2082 as amended by the Free Conference Committee.

Mr. Ehlers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2082 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Conner, Deccio, Dunlap, Enbody, Flanagan, Gaines, Heck, Leckenby, Maxie, Pardini, Shinpoch, Vrooman, Williams.

Substitute Senate Bill No. 2082 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.

## STATEMENT FOR THE JOURNAL

I would like the record to show that I wished to vote "Yea" on Substitute Senate Bill No. 2082 as amended by the Free Conference Committee.

PEGGY JOAN MAXIE, 37th District.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Mr. King 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 Adams, Berentson, Dunlap, Gaines, Leckenby, Polk, Shinpoch, Tilly and the Speaker.

#### MOTIONS

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

On motion of Mr. King, Representative Thompson was excused from the Call of the House.

#### REPORT OF STANDING COMMITTEE

May 23, 1977

**SUBSTITUTE SENATE BILL NO. 2543**, Prime Sponsor: Senator Henry, making biennial appropriations for the operations and capital improvements of the state highway commission, the urban arterial board, and the Washington toll bridge authority. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, line 23 after "house" insert "and for implementing the provisions of chapter . . . , Laws of 1977 1st ex. sess. (SSB 2924) establishing a department of transportation, if such chapter is enacted into law, including the proportional funding of expenditures for programs of executive management and support, the study of appropriate funding sources for such department's functions, and the preparation of a preliminary budget for the department as required in said chapter"

On page 4, strike all of section 3 and insert:

**"NEW SECTION. Sec. 3.** There is hereby appropriated to the Washington toll bridge authority for the biennium ending June 30, 1979, from the Puget Sound reserve account in the motor vehicle fund . . . \$4,037,000 or so much thereof as may be necessary to carry out the provisions of RCW 47.60.420; and from the Puget Sound capital construction account in the motor vehicle fund . . . \$44,879,000 consisting of \$18,000,000 in federal funds and \$26,879,000 in state funds or so much thereof as may be necessary for improving the Washington state ferry system including, but not limited to, acquisition and construction of ferry vessels, major and minor vessel improvements, terminal construction and improvements: **PROVIDED**, That if Substitute Senate Bill No. 2522 is not enacted into law in 1977 the state fund appropriation from the Puget Sound capital construction account shall be \$23,642,000: **PROVIDED FURTHER**, That prior to purchase of any vessel or the award of a contract for ferry vessel construction the highway commission shall review the proposed vessel acquisition program with the legislative transportation committee and the standing committees on transportation of the Senate and House; and from the Puget Sound ferry operations account in the motor vehicle fund . . . \$14,431,000 or so much thereof as may be necessary for operations and maintenance of the ferry system to supplement tolls: **PROVIDED**, That if Substitute Senate Bill No. 2537 is not enacted into law in 1977 the appropriation from the Puget Sound ferry operations account shall be \$3,846,000, or so much thereof as may be necessary for operations and maintenance of the ferry system to supplement tolls, and from the motor vehicle fund . . . \$10,585,000 or so much thereof as may be necessary to supplement the appropriation from the Puget Sound ferry operations account contained in this proviso: **PROVIDED**, That if Substitute Senate Bill No. 2537 is enacted into law in 1977, no funds appropriated in this section from the motor vehicle fund to supplement the appropriation from the Puget Sound ferry operations account shall be available for expenditure."

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Berentson, Dunlap, Gaines, Gallagher, McCormick, Paris, Patterson, Walk, Wilson.

To Committee on Rules for second reading.

#### SECOND READING

**SUBSTITUTE SENATE BILL NO. 2608**, by Committee on Judiciary (Originally sponsored by Senators Francis, Buffington and Marsh):

Revising laws relating to privacy of information about crimes and criminals.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)



On motion of Mr. Hanna, the committee amendments were adopted.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna and Smith:

On page 6, after line 26 insert a new section to read as follows:

**"NEW SECTION.** Sec. 6. Criminal history record information which consists of nonconviction data only shall be subject to deletion from criminal justice agency files which are available and generally searched for the purpose of responding to inquiries concerning the criminal history of a named or otherwise identified individual when two years or longer have elapsed since the record became nonconviction data as a result of the entry of a disposition favorable to the defendant, or upon the passage of three years from the date of arrest or issuance of a citation or warrant for an offense for which a conviction was not obtained unless the defendant is a fugitive, or the case is under active prosecution according to a current certification made by the prosecuting attorney.

Such criminal history record information consisting of nonconviction data shall be deleted upon the request of the person who is the subject of the record: **PROVIDED, HOWEVER,** That the criminal justice agency maintaining the data may, at its option, refuse to make the deletion if:

(1) The disposition was a deferred prosecution or similar diversion of the alleged offender;

(2) The person who is the subject of the record has had a prior conviction for a felony or gross misdemeanor;

(3) The individual who is the subject of the record has been arrested for or charged with another crime during the intervening period.

Nothing in this chapter is intended to restrict the authority of any court, through appropriate judicial proceedings, to order the modification or deletion of a record in a particular case or concerning a particular individual or event."

Renumber the remaining sections consecutively.

Representatives Hanna and Eng spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Hanna, would the diversion in subsection (1) include a diversion of a juvenile that we provided for in a bill that passed the House in which it was not required that he plead guilty, but that he could be diverted to some juvenile diversion program?"

Mr. Hanna: "I don't think this pertains, but I would like to refer that question to Representative Charette or Representative Smith. I think they would know the answer."

Mr. Smith: "This section of the bill only refers to criminal justice records, and by definition wouldn't apply to juvenile justice records."

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Why is it necessary to wait two years after you have been declared innocent of something before your record will be erased?"

Mr. Hanna: "Well, for a couple of reasons. Usually going through court process takes up to a year and sometimes these matters are not settled until there has been a lengthy investigation, so two years would be a reasonable amount of time. I think you could argue that one year wasn't enough, but this was the amount of time the criminal justice agencies—the proponents of this amendment—tells us is right."

Mr. Douthwaite: "The language reads, '...two years or longer since the record became nonconviction data.' Does that mean after the court has found a person innocent that they would have to wait two years after that?"

Mr. Hanna: "Either that or they would not follow through on it at all. In other words it may be dropped. You may notice that further on in that paragraph it says, '...or upon the passage of three years from the date of arrest or issuance of the citation or warrant of arrest for an offense for which the conviction was not obtained unless the defendant is a fugitive or the case is under prosecution.' I guess what I'm trying to say is that it is an arbitrary time period, but that it is agreed upon by the various sides (the interest groups in this) as a reasonable period of time."

Mr. Douthwaite: "One more question, Representative Hanna: When it says that the data may be subject to deletion, does that mean that it is an order to erase it? What does that mean?"

Mr. Hanna: "That doesn't say that the law enforcement or other criminal agencies that have their own records for their own use have to be deleted. It means that any record that would be available to the public or to the media, would have to be deleted."

Mr. Douthwaite spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Hanna, there is one other concern that I have. We have similar language to this in other areas dealing with criminal history. In that law it also states that the person must request to have the record taken off. Has there been some discussion in the past to making this automatic? Did your committee consider making this automatic? Do you have any knowledge of how people become aware that they have to ask? I'm concerned about them having it done and not knowing that they have to ask."

Mr. Hanna: "Well most people who would be in this situation would be represented by an attorney. The attorney's responsibility is to know these things. As far as the automatic deletion or expungement in all nonconviction cases, the reason that no one is advocating that is that the cost is pretty overwhelming. That has been seriously considered. It is worth further consideration, but you are talking about an awful lot of money and the advocates of deleting did not feel that it justifies that amount. There are a lot of things that people are suspected of, picked up for, that are not serious enough that they are really going to care if it is ever known or not. There are some cases where they care very much."

Mr. Charnley spoke in favor of the amendment.

The amendment was adopted.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna, Becker, Hawkins, Salatino, Greengo and Hurley (George):

On page 9, beginning on line 21 strike all of section 12 and renumber the remaining sections consecutively.

Representatives Hanna and Becker spoke in favor of the amendment, and Representatives Newhouse, Zimmerman and Chandler spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Nelson (Gary).

Mr. Nelson (Gary): "I'd like to have this cleared up now as to the confusion of which records would be open. The records on salaries, public assistance, and toll hot line fraud? Could you clear that up by explaining which ones would be open?"

Mr. Newhouse: "Yes, Representative Nelson, it is a very hazy situation right now because the public disclosure initiative did some peculiar things. Prior to that the Legislature could do one of two things: Say certain information that is required by law will be private or will be public or left a vague situation of no requirement in between. What the public disclosure law did was just say for those that are private they shall remain private and confidential—so it is vague. Now after the passage of the public disclosure law, it is my opinion that we can pass a law after the fact that says certain records are confidential and we have. We have some that are confidential. The others will be public and open to the public with the restrictions as outlined in this section, and I think this is a fair way to be, and understand that any records we require we can say, in addition, that they will be confidential."

Representatives Charette and Greengo spoke in favor of the amendment, and Mr. Oliver spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Hanna.

Mr. Hanna: "I'm wondering why you went from solidly supporting this amendment to opposing it overnight? What exactly can't the media get in terms of information now that they need? What is it that's missing?"

Mr. Newhouse: "I did not change my position. I was not supporting or opposing it last night. What we are talking about here are public records. May I cite for you an example of a situation in Yakima now. A rather objectionable business—something about girls dancing for

forty dollars for twenty minutes—opened. The licensee had to have some references and they had to be on his license application and were. The city officials suddenly determined that information should not be given to the press. Under this law, you will recall, the newspapers could have sued the city to have them divulge that information, but if the newspaper had won, then the city would have had to pay the cost of the suit. Remember that law? Now to defend themselves from that possibility, the city themselves sued the newspaper to stop asking for that information so they wouldn't have to pay the newspapers' costs. The real point is, does the public have the right to know who the applicants for such a business are and who has been their references? This is the type of information that's involved."

Mr. Hurley (George) demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hanna and others to Substitute Senate Bill No. 2608, and the amendment was adopted by the following vote: Yeas, 59; nays, 29; not voting, 10.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Taller, Valle, Vrooman, Warnke, Williams, Winsley.

Voting nay: Representatives Amen, Barr, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Fancher, Flanagan, Gilleland, Haley, Lysen, Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Patterson, Sanders, Schmitt, Shinoda, Struthers, Walk, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Adams, Berentson, Dunlap, Gaines, Leckenby, Polk, Shinpoch, Thompson, Tilly, and Mr. Speaker.

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

On line 6 of the title after "43.43.810;" strike everything down to and including "42.17.260;" on line 8 of the title.

Substitute Senate Bill No. 2608 as amended by the House was passed to Committee on Rules for third reading.

Representatives Berentson, Polk and Tilly appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 2282, by Senator Grant:

Simplifying reporting requirements for campaign treasurers.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 75th Day ex. sess., May 24, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment.

Mr. Newhouse moved adoption of the following amendment to the committee amendment: On page 13, line 39 strike all of section 8 and renumber the remaining sections consecutively.

Mr. Newhouse spoke in favor of the amendment, and Mr. Hawkins spoke against it.

Mr. Newhouse spoke again in favor of the amendment to the committee amendment, and Mr. Douthwaite spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to the committee amendment to Engrossed Senate Bill No. 2282, and the amendment was adopted by the following vote: Yeas, 48; nays, 43; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Erak, Fancher, Flanagan, Fortson, Fuller, Gilleland, Greengo, Grier, Haley, Hansen, Hawkins, Hurley M., Kilbury, Knedlik, Knowles, Lee, McCormick, McKibbin, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Tilly, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Gallagher, Grimm, Gruger, Hanna, Heck, Hughes, Hurley G. S., Keller, King, Kreidler, Lux, Lysen, Martinis, Maxie, May, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Smith, Valle, Vrooman, Walk, Williams.

Not voting: Representatives Adams, Dunlap, Gaines, Leckenby, Shinpoch, Thompson, and Mr. Speaker.

## MOTION FOR RECONSIDERATION

Mr. Hawkins moved that the House reconsider the vote by which the amendment by Representative Newhouse to the committee amendment was adopted.

Mr. Hawkins spoke in favor of the motion, and Mr. Newhouse spoke against it.

Mr. Hawkins spoke again in favor of the motion, and Mr. Zimmerman spoke against it.

## POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Hawkins, can you tell us how many days a year the PDC has worked in recent periods—how demanding a job is it for them?"

Mr. Hawkins: "I can't answer that question in detail. I will say some of the five members attend much more often than the other five, specifically Mr. Harsh, who has been chairman of that commission."

Mr. Douthwaite spoke in favor of the motion to reconsider.

Mr. Pardini demanded the previous question and the demand was sustained.

Mr. Dunlap appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Newhouse amendment to the committee amendment to Engrossed Senate Bill No. 2282 was adopted, and the motion was lost by the following vote: Yeas, 38; nays, 54; not voting, 6.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Kreidler, Lux, Lysen, Maxie, McKibbin, Nelson D., O'Brien, Owen, Pruitt, Sherman, Smith, Sommers, Valle, Vrooman, Walk, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Enbody, Erak, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Haley, Hansen, Hurley M., Kilbury, Knedlik, Knowles, Lee, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Gaines, Leckenby, Shinpoch, Thompson, and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 8 of the amendment after section 3 insert a new section as follows:

"Sec. 4. Section 6, chapter 1, Laws of 1973 as amended by section 4, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, 'Campaign Fund of . . . . . ' (name of candidate or political committee). No employer, public or private, or officer, director, manager, or official of any company, union, or association of any kind, or any other person acting on behalf of such individual, shall solicit or collect contributions as defined in RCW 42.17.020(8) from any employee or member for purposes of contributing to political candidates or political committees: PROVIDED, That nothing in this subsection shall prohibit an officer or official of a political party from soliciting or collecting contributions from any political party member for purposes of contributing to political candidates or political committees.

(2) All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by a statement containing the name of each person contributing the funds so deposited and the amount contributed by each person: PROVIDED, That contributions not exceeding ten dollars from any one person may be deposited without identifying the contributor. The statement shall be in ((triplicate)) duplicate, upon a form prescribed by the commission, ((one copy to be retained by the campaign depository for its records for the minimum term of three years,)) one copy to be filed by the campaign treasurer with the commission within ten days of the deposit, and one copy to be retained by the campaign treasurer for his records. In the event of deposits made by a deputy campaign treasurer, the ((third)) second copy shall be forwarded to the campaign treasurer to be retained by him for his records. Each statement shall be certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit.

(3) Political committees which support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose: PROVIDED, That each such account shall bear the same name followed by an appropriate designation which accurately identifies its separate purpose: AND PROVIDED FURTHER, That transfers of funds which must be reported under RCW 42.17.090(1)(d), as now or hereafter amended, may not be made from more than one such account.

(4) Nothing in this section shall prohibit a candidate or political committee from investing funds on hand in a campaign depository in bonds, certificates, or savings accounts or other similar savings instruments

in financial institutions other than the campaign depository: PROVIDED, That the commission is notified in writing of the initiation and the termination of the investment: PROVIDED FURTHER, That the principal of such investment when terminated together with all interest, dividends, and income derived from the investment are deposited in the campaign depository in the account from which the investment was made and properly reported to the commission prior to any further disposition or expenditure thereof.

(5) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total in excess of one percent of the total accumulated contributions received in the current calendar year or three hundred dollars (whichever is more), shall not be deposited, used, or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund."

Renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment to the committee amendment.

#### POINT OF ORDER

Mr. Hawkins: "Mr. Speaker, the subject, several of the subjects of this amendment, deal with the subject of campaign financing embodied in House Bill No. 810, and I wondered if that might be beyond the scope and object of this bill?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that this amendment, in the most part, is stated in the original bill from the Elections and Governmental Ethics Committee. On that basis, the Speaker will rule that it is in order."

Mr. Hawkins spoke against the amendment.

Representatives Shinpoch and Thompson appeared at the bar of the House.

Ms. Becker demanded an electric roll call vote on the amendment to the committee amendment, and the demand was sustained.

Representatives Deccio and Pardini spoke in favor of the amendment, and Representatives King and Hurley (George) spoke against it.

#### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Tilly, would this have any affect on those organizations that happen to have an educational mailing label, and then could beat the mail out of literature on behalf of a candidate using the mailing label, while their opponent would have to pay the full cost of postage? Does this address this at all?"

Mr. TILLY: "In my viewpoint, this would be a campaign contribution, and it would prevent that."

Mr. Tilly spoke again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Engrossed Senate Bill No. 2282, and the amendment was not adopted by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley M., Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmittin, Shinoda, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Ernboddy, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Gaines, Leckenby.

On motion of Mr. Hawkins, the following amendment to the committee amendment was adopted:

On page 16 of the amendment, after line 29 insert a new section as follows:

**\*NEW SECTION.** Sec. 11. If any provision of this 1977 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."

Remember the remaining section consecutively, and correct internal references accordingly.

The committee amendment as amended was adopted.

Mr. Hawkins moved adoption of the committee amendment to the title.

On motion of Mr. Barnes, the following amendment to the committee amendment was adopted:

On line 19 of the title amendment, strike "adding new sections to chapter 1, Laws of 1973 and to chapter 42.17 RCW;"

On motion of Mr. Newhouse, the following amendment to the committee amendment was adopted:

On line 16 of the title amendment strike "amending section 35, chapter 1, Laws of 1973 as last amended by section 8, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.350;"

The committee amendment to the title as amended was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2282 as amended by the House was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2282 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Conner, Flanagan, Hansen, Tilly.

Not voting: Representatives Adams, Gaines, Leckenby.

Engrossed Senate Bill No. 2282 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. King, the House dispensed with further business under the Call of the House.

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

On motion of Mr. Bender, HOUSE BILL NO. 980 was rereferred from Committee on Rules to Committee on Transportation.

On motion of Mr. King, the rules were suspended, and SUBSTITUTE SENATE BILL NO. 2107 was brought before the body for reconsideration of the vote by which it passed the House the previous day.

#### MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House reconsider the vote by which Substitute Senate Bill No. 2107 passed the House.

The motion was carried.

#### MOTION

On motion of Mr. King, the rules were suspended, and Substitute Senate Bill No. 2107 was returned to second reading for the purpose of amendment.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Williams:

On page 2, line 8 after "FURTHER," strike all material down through and including "person" and insert "That occupant load may be modified based on actual exits provided"

Representatives Polk and Warnke spoke in favor of the amendment, and it was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2107 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2107 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 8; not voting, 8.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Hawkins, Lysen, Pardini, Paris, Tilly, Zimmerman.

Not voting: Representatives Adams, Enbody, Erickson, Gaines, Hansen, Leckenby, Sanders, Whiteside.

Substitute Senate Bill No. 2107 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.

#### RESOLUTION

HOUSE RESOLUTION NO. 77-40, by Representatives Keller, Pearsall, Winsley, Craswell, Valle, McCormick, Erickson, Kreidler, Maxie and Hurley (Margaret):

WHEREAS, The Girl Scouts of the United States of America is a nationally chartered organization; and

WHEREAS, The program of the Girl Scouts emphasizes the outdoors, the arts, service, international friendship, and the home; and

WHEREAS, The Pacific Peaks Girl Scout Council comprises the counties of Mason, Thurston, Pierce, Lewis, Cowlitz, Wahkiakum, Pacific, and Grays Harbor in Washington and the county of Columbia in Oregon; and

WHEREAS, The Pacific Peaks Girl Scout Council boasts a total membership of eight thousand girl scouts; and

WHEREAS, The Girl Scouts offer in this state this summer the Fins 'N Forest, a national opportunity during which girls will learn about the environment by studying the fishing and forest industries at Cispus Environmental Learning Center, by fishing for salmon at Westport, and by camping at Camp Evergreen Girl Scout Camp; and

WHEREAS, Dr. Gloria Scott, President of the Girl Scouts of the United States of America, will meet with girl scouts in Port Angeles, Bremerton, Bellingham, and Olympia, and at Sea-Tac, on May 25th and will be at the Rotunda in the Legislative Building between 4:30 and 6:00 p.m. on May 25th; and

WHEREAS, Dr. Gloria Scott will be the featured speaker at the Totem Girl Scout Council Luncheon at the Pacific Science Center on May 26th;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives welcomes Dr. Gloria Scott to the State of Washington and encourages the many beneficial activities of the Girl Scouts of the United States of America; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Dr. Gloria Scott, President of the Girl Scouts of the United States of America, and to each Girl Scout Council in the state.

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

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, May 26, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 26, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Dunlap, Eng, Erickson, Fancher, Leckenby, Warnke and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Connie Bogdonovich and Brent Stone. Prayer was offered by Reverend Glen Cole of the Evergreen Christian Church of Olympia.

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

## POINT OF PERSONAL PRIVILEGE,

Mr. Haley: "Mr. Speaker, I want to apologize to Representative Martinis. When an act causes offense that was meant as a joke, but causes offense, that act is going too far; consequently, this apology."

## MESSAGES FROM THE SENATE

May 25, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 125,  
HOUSE BILL NO. 694,  
HOUSE BILL NO. 828,  
HOUSE BILL NO. 842,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 25, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 797,  
SUBSTITUTE HOUSE BILL NO. 821,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 25, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 2082, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

May 25, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2453,  
SUBSTITUTE SENATE BILL NO. 2731,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



May 25, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2956,  
SENATE JOINT RESOLUTION NO. 113,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

May 24, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 153 with the following amendment:

On page 1, line 19 after "to" strike everything down to and including "personnel" on line 20 and insert "that portion of any contract in which a manufacturer's warranty on equipment is contingent upon the manufacturer's use of his own factory-trained personnel for installation or repair which places such equipment under warranty" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendment to Substitute House Bill No. 153.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 153 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 153 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 58; nays, 17; not voting, 23.

Voting yea: Representatives Barnes, Bauer, Becker, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Erak, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Smith, Taller, Thompson, Valle, Walk, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Craswell, Flanagan, Gilleland, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Schmitten, Shinpoch, Tilly, Zimmerman.

Not voting: Representatives Adams, Bender, Deccio, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Greengo, Hanna, Hawkins, Hurley G. S., Knowles, Leckenby, Oliver, Owen, Sommers, Struthers, Vrooman, Warnke, Williams, Winsley.

Substitute House Bill No. 153 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

May 24, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 472 with the following amendment:

On page 6, beginning on line 7 strike all of section 2 and insert:

**\*NEW SECTION.** Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.35 RCW a new section to read as follows:

The primary purposes of the regional universities shall be to offer undergraduate and graduate education programs through the master's degree, including programs of a practical and applied nature, directed to the educational and professional needs of the residents of the regions they serve; to act as receiving institutions for transferring community college students; and to provide extended occupational and complementary studies programs that continue or are otherwise integrated with the educational services of the region's community colleges.

No college shall be eligible for designation as a regional university until it has been in operation for at least twenty years and has been authorized to offer master's degree programs in more than three fields." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Burns, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 472.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 472 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 472 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; nays, 6; not voting, 19.

Voting yea: Representatives Barnes, Barr, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Erak, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Hurley M., Patterson, Shinoda, Zimmerman.

Not voting: Representatives Adams, Bender, Deccio, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Greengo, Hanna, Hurley G. S., Knowles, Leckenby, Struthers, Vrooman, Warnke, Williams, Winsley.

Engrossed Substitute House Bill No. 472 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 23, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 662 with the following amendments:

Beginning on line 8 strike all of section 1 and insert the following:

\*Section 1. Section 28B.10.650, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.650 are each amended to read as follows:

It is the intent of the legislature that when the state universities, state colleges, and community colleges grant professional leaves to faculty and exempt staff, such leaves be for the purpose of providing opportunities for study, research, and creative activities for the enhancement of the institution's instructional and research programs.

The boards of regents of the state universities ((and)), the boards of trustees of the state colleges and the board of trustees of each community college district may grant ((sabbatical and other)) remunerated professional leaves to faculty members and exempt staff, as defined in RCW 28B.16.040, in accordance with regulations adopted by the respective governing boards ((and with such remunerations as the respective boards may prescribe)) for periods not to exceed twelve consecutive months in accordance with the following provisions:

(1) The remuneration from state general funds and general local funds for any such leave granted for any academic year shall not exceed the average of the highest quartile of a rank order of salaries of all full time teaching faculty holding academic year contracts or appointments at the institution or in the district.

(2) Remunerated professional leaves for a period of more or less than an academic year shall be compensated at rates not to exceed a proportional amount of the average salary as otherwise calculated for the purposes of subsection (1) hereof.

(3) The grant of any such professional leave shall be contingent upon a signed contractual agreement between the respective governing board and the recipient providing that the recipient shall return to the granting institution or district following his or her completion of such leave and serve in a professional status for a period commensurate with the amount of leave so granted. Failure to comply with the provisions of such signed agreement shall constitute an obligation of the recipient to repay to the institution any remuneration received from the institution during the leave.

(4) The aggregate cost of remunerated professional leaves awarded at the institution or district during any year, including the cost of replacement personnel, shall not exceed the cost of salaries which otherwise would have been paid to personnel on leaves: PROVIDED, That this subsection shall not apply to any community college district with fewer than seventy-five full-time faculty members and granting fewer than three individuals such leaves in any given year.

(5) The average number of annual remunerated professional leaves awarded at any such institution or district shall not exceed four percent of the total number of full time equivalent faculty, as defined by the

office of program planning and fiscal management, who are engaged in instruction, and exempt staff as defined in RCW 28B.16.040.

(6) Negotiated agreements made in accordance with chapter 28B.52 RCW and entered into after the effective date of this 1977 amendatory act shall be in conformance with the provisions of this section.

(7) The respective institutions and districts shall annually report to the council for postsecondary education such information as the council deems necessary to determine compliance with the provisions of this section and the council for postsecondary education shall periodically report such information to the legislature.\*

On line 6 of the title before "and making" insert "providing penalties;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Burns, the House concurred in the Senate amendments to Substitute House Bill No. 662.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 662 as amended by the Senate.

Mr. Burns spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 662 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 3; not voting, 19.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Douthwaite, Ehlers, Erak, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Haley, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Paris, Patterson.

Not voting: Representatives Adams, Conner, Deccio, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Greengo, Hanna, Hurley G. S., Knowles, Leckenby, Struthers, Vrooman, Warnke, Williams, Winsley.

Substitute House Bill No. 662 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 23, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 503 with the following amendments:

On page 2, after line 17 add a section as follows:

\*Sec. 2. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st 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 RCW: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12 RCW;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16 RCW, 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 RCW: 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 RCW;

(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 RCW;

(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 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 or for use at an airport owned by a public port district of an adjoining 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.

(27) The renting or leasing of motor vehicles and trailers to a nonresident of this state for use 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 for purposes of this exemption the term "nonresident" shall apply to a renter or lessee 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 the renter's or lessee's place of business in another state.

(28) Sales of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(29) Sales of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers.

(30) Sales of insulin, prosthetic devices, and medically prescribed oxygen."

On line 1 of the title after "taxes;" and before "providing" insert "amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.08.030;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House refused to concur in the Senate amendments to House Bill No. 503, and asked the Senate to recede therefrom.

#### SENATE AMENDMENTS TO HOUSE BILL

May 24, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 697 with the following amendments:

On page 1, line 14 after "math" strike all the material down to and including "courses,"

On page 1, line 17 after "September 1," strike "1979" and insert "1981"

On page 2, line 2 after "attainment" strike all the material down to and including "annually" on line 3 and insert "((and evaluated at least annually)) ; student attainment shall be locally assessed annually and the student learning objectives program shall be reviewed at least every two years."

On page 2, beginning on line 11 strike all of section 2 and insert the following:

"NEW SECTION. Sec. 2. It is the intent of the legislature that learning objectives shall subsequently be developed and assessed by school districts for all other courses of study included in school district programs. Within one hundred eighty days after the adjournment of the first extraordinary session of the forty-fifth legislature, the superintendent of public instruction shall provide to the standing committees on education of the house of representatives and the senate a plan setting forth timelines for school district compliance in establishing a student learning objectives program for those courses of study which have been statutorily required prior to January 1, 1977.

Within one hundred eighty days after the adoption by the legislature of a definition of basic education, the superintendent of public instruction shall provide to the standing committees on education of the house of representatives and the senate a plan setting forth timelines for school district compliance in establishing a student learning objectives program based upon the definition of basic education. Such plans shall set forth the fiscal impact upon the state, educational service district, and school district of compliance with the student learning objectives program.

The superintendent of public instruction shall review implementation of the learning objectives law annually and shall submit a report of such review to the legislature on or before January 30 of each year."

On page 1, line 2 of the title after "28A.58.090;" insert "and creating a new section" and strike "and making an appropriation" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Clemente, the House refused to concur in the Senate amendments to Substitute House Bill No. 697, and asked the Senate to recede therefrom.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 24,  
 SUBSTITUTE HOUSE BILL NO. 165,  
 HOUSE BILL NO. 313,  
 SUBSTITUTE HOUSE BILL NO. 395,  
 HOUSE BILL NO. 444,  
 HOUSE BILL NO. 753,  
 SUBSTITUTE HOUSE BILL NO. 873,  
 HOUSE BILL NO. 921,  
 HOUSE BILL NO. 1229,  
 SENATE BILL NO. 2453,  
 SUBSTITUTE SENATE BILL NO. 2731,  
 SUBSTITUTE SENATE BILL NO. 2956,  
 SENATE JOINT RESOLUTION NO. 113.

## SENATE AMENDMENTS TO HOUSE BILL

May 19, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 446 with the following amendments:

On page 9, line 14 after "account," insert "or that of a group of which he is a member"

On page 9, line 15 after "owner" insert "or part owner"

On page 9, line 22 after "RCW 18.85.010" insert ""; nor, (5) any owner or manager of rental or lease property which rental or lease is intended solely for residential purposes"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Salatino, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 446, and asked the Senate to recede therefrom.

## SENATE AMENDMENTS TO HOUSE BILL

May 23, 1977

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 874 with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 1, chapter 198, Laws of 1973 1st ex. sess. and RCW 13.06.050 are each amended to read as follows:

No county shall be entitled to receive any state funds provided by this chapter until its application is approved, and unless and until the minimum standards prescribed by the department of social and health services are complied with and then only on such terms as are set forth hereafter in this section.

(1) A base commitment rate for each county and for the state as a whole shall be calculated by the department of social and health services. The base commitment rate shall be determined by computing the ratio of the number of juveniles committed to state juvenile correctional institutions plus the number of juveniles who have been convicted of felonies and committed to state correctional institutions after a juvenile court has declined jurisdiction of their cases and remanded them for prosecution in the superior courts, to the county population, such ratio to be expressed in a rate per hundred thousand population, for each of the calendar years 1964 through 1968. The average of these rates for a county for the five year period or the average of the last two years of the period, whichever is higher, shall be the base commitment rate, as certified by the secretary: PROVIDED, That, a county may elect as its base commitment rate the average of the base commitment rates of all counties in the state over the last two years of the period described above. The county and state population shall be that certified as of April 1st of each year by the office of program planning and fiscal management, such population figures to be provided to the secretary of social and health services not later than June 30th of each year.

(2) An annual commitment rate shall be calculated by the department at the end of each year for each participating county and for the state as a whole, in a like manner as provided in subsection (1). The annual commitment rate shall exclude commitments that fall within the high risk categories as defined by the department.

(3) The amount that may be paid to a county pursuant to this chapter shall be the ((~~actual~~)) standard cost of the operation of a special supervision program ((~~or four thousand dollars multiplied by the 'commitment reduction number', whichever is the lesser~~)) based upon workload standards established by the department. Payment shall not exceed five thousand dollars per commitment reduction. The 'commitment reduction number' is obtained by subtracting (a) the product of the most recent annual commitment rate and population of the county for the same year from (b) the product of the base commitment rate and population of the county for the same year employed in (a).

(4) The secretary ((~~of social and health services~~)) will reimburse a county upon presentation and approval of a valid claim pursuant to the provisions of this chapter based on actual performance in reducing the annual commitment rate from its base commitment rate. Whenever a claim made by a county pursuant to this chapter, covering a prior year, is found to be in error, an adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(5) In the event a participating county earns in a payment period less than one-half of the sum paid in the previous payment period because of extremely unusual circumstances claimed by the county and verified by the secretary of the department of social and health services, the secretary may pay to the county a sum not to exceed actual program expenditures, provided, however, that in subsequent periods the county will be paid only the amount earned: PROVIDED, That the amendatory provisions of subsection (5) of this act may be applied to payment periods prior to May 20, 1971.

(6) If the amount received by a county in reimbursement of its expenditures in a calendar year is less than the maximum amount computed under subsection (3) above, the difference may be paid to the county as reimbursement of program costs during the next two succeeding years upon receipt of valid claims for reimbursement of program expenses.

(7) Funds received by participating counties under this chapter shall not be used to replace local funds for existing programs for delinquent juveniles or to develop county institutional programs.

(8) Any county averaging less than thirty commitments annually during either the two year or five year period used to determine the base commitment rate as defined in subsection (1) above may:

(a) apply for subsidies under subsection (1); or

(b) as an alternative, elect to receive from the state the salary of one full time additional probation officer and related employee benefits(;;); or

(c) elect to receive from the state the salary and related employee benefits of one full time additional probation officer and in addition, reimbursement for certain supporting services other than capital outlay and equipment whose total will not exceed a maximum limit established by the secretary of the department of social and health services; or

(d) elect to receive from the state reimbursement for certain supporting services other than capital outlay and equipment whose total cost will not exceed a maximum limit established by the secretary of the department of social and health services.

(9) In the event a county chooses one of the alternative proposals in subsection (8), it will be eligible for reimbursement only so long as the officer and supporting services are wholly used in the performance of probation services to supervision of persons eligible for state commitment and are paid the salary referred to in this section in accordance with a salary schedule adopted by rule of the department and:

(a) if its base commitment rate is below the state average, its annual commitment rate does not exceed the base commitment rate for the entire state; or

(b) if its base commitment rate is above the state average, its annual commitment rate does not in the year exceed by two its own base commitment rate.

(10) Where any county does not have a juvenile probation officer, but obtains such services by agreement with another county or counties, or, where two or more counties mutually provide probation services by agreement for such counties, then under such circumstances the secretary may make the computations and payments under this chapter as though the counties served with probation services were one geographical unit.

**NEW SECTION.** Sec 2. By January 1, 1978, the department of social and health services shall provide to the standing committees on ways and means and on social and health services of the state senate and to the standing committees on appropriations and on institutions of the house of representatives a report on the juvenile probation services in the state. Such report shall include, but not be limited to:

(1) A disposition of all juvenile probation officers by county;

(2) The number of juvenile probation officers provided with juvenile probation subsidy funds by county;

(3) A description of the full range of services provided under the juvenile probation subsidy program by county;

(4) The cost per child served by the program by county;

(5) An evaluation of the program by county; and

(6) An analysis of the application and impact of the 'banking' provision.

**NEW SECTION.** Sec. 3. This 1977 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 July 1, 1977."

In the title, strike everything after "juveniles;" and insert "providing probation and other services; amending section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 1, chapter 198, Laws of 1973 1st ex. sess. and RCW 13.06.050; creating a new section; declaring an emergency; and providing an effective date."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Hanna, the House refused to concur in the Senate amendments to Second Substitute House Bill No. 874, and asked the Senate for a conference thereon.

#### MESSAGE FROM THE SENATE

May 24, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2451, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House refused to recede from its amendments to Engrossed Senate Bill No. 2451, and asked the Senate for a conference thereon.



## REPORTS OF STANDING COMMITTEES

ENGROSSED SUBSTITUTE SENATE BILL NO. 2537, Prime Sponsor: Senator Henry, permitting the department of motor vehicles to set fuel tax rates. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

'Section 1. Section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 156, Laws of 1971 ex. sess. and RCW 82.36.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Motor vehicle' means every vehicle which is in itself a self-propelled unit, equipped with solid rubber, hollow-cushion rubber, or pneumatic rubber tires and capable of being moved or operated upon a public highway, except motor vehicles used as motive power for or in conjunction with farm implements and machines or implements of husbandry;

(2) 'Motor vehicle fuel' means gasoline or any other inflammable gas, or liquid, by whatsoever name such gasoline, gas or liquid may be known or sold, the chief use of which is as fuel for the propulsion of motor vehicles(;) or motorboats;

(3) 'Distributor' means every person who refines, manufactures, produces, or compounds motor vehicle fuel and sells, distributes, or in any manner uses it in this state; also every person engaged in business as a bona fide wholesale merchant dealing in motor vehicle fuel who either acquires it within the state from any person refining it within or importing it into the state, on which the tax has not been paid, or imports it into this state and sells, distributes, or in any manner uses it in this state;

(4) 'Service station' means a place operated for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles;

(5) 'Department' means the department of motor vehicles;

(6) 'Director' means the director of motor vehicles;

(7) 'Dealer' means any person engaged in the retail sale of liquid motor vehicle fuels;

(8) 'Person' means every natural person, firm, partnership, association, or private or public corporation;

(9) 'Highway' means every way or place open to the use of the public, as a matter of right, for purposes of vehicular travel;

(10) 'Broker' means every person, other than a distributor, engaged in business as a broker, jobber, or wholesale merchant dealing in motor vehicle fuel or other petroleum products used or usable in propelling motor vehicles, or in other petroleum products which may be used in blending, compounding, or manufacturing of motor vehicle fuel;

(11) 'Producer' means every person, other than a distributor, engaged in the business of producing motor vehicle fuel or other petroleum products used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel;

(12) 'Distribution' means all withdrawals of motor vehicle fuel for delivery to others, to retail service stations, or to unlicensed bulk storage plants;

(13) 'Bulk storage plant' means, pursuant to the licensing provisions of RCW 82.36.070, any plant, under the control of the distributor, used for the storage of motor vehicle fuel to which no retail outlets are directly connected by pipe lines;

(14) 'Marine fuel dealer' means any person engaged in the retail sale of liquid motor vehicle fuel whose place of business and or sale outlet is located upon a navigable waterway;

(15) 'Weighted average retail sales price of motor vehicle fuel' means the average retail sales price excluding any federal excise tax of the several grades of motor vehicle fuel (other than special fuels taxed pursuant to chapter 82.38 RCW) sold by service stations throughout the state (less any state excise taxes on the sale, distribution, or use thereof) weighted to reflect the quantities sold at each different price;

(16) 'Aggregate motor vehicle fuel tax revenues' means the amount of excise taxes to be paid by distributors, retailers, and users pursuant to chapters 82.36, 82.37, and 82.38 RCW, as now or hereafter amended, for any designated fiscal period, whether or not such amounts are actually received by the department of motor vehicles. The phrase does not include fines or penalties assessed for violations;

(17) 'Fiscal half-year' means a six month period ending June 30th or December 31st.

Sec. 2. Section 1, chapter 28, Laws of 1974 ex. sess. and RCW 82.36.020 are each amended to read as follows:

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director ((of nine cents)) at a rate computed in the manner provided in section 6 of this 1977 amendatory act for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: PROVIDED, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. Any person paying such excise tax who, in turn, sells or distributes such fuel to another, whether or not for use, shall include the tax as part of the selling price of the fuel. Any person thereafter paying a price for such fuel which includes an increment for the tax imposed hereunder, and who subsequently resells said fuel, shall include the increment so paid as part of the selling price of the fuel. The tax imposed hereunder shall be in addition to any other tax required by law, and shall not be imposed under circumstances in which the tax is prohibited by the

Constitution or laws of the United States. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the ((nine cents)) motor vehicle fuel excise tax collected on the net gallonage after the deduction provided for herein and after the deductions for refunds and costs of collection as provided in RCW 46.68.090 as now or hereafter amended, shall be distributed as ((follows:

(1) Six and seven-eighths cents shall be distributed between the state, cities, counties, and Puget Sound ferry operations account in the motor vehicle fund under the provisions of RCW 46.68.090 and 46.68.100 as now or hereafter amended:

(2) Five-eighths of one cent shall be distributed to the state and expended pursuant to RCW 46.68.150:

(3) Five-eighths of one cent shall be paid into the motor vehicle fund and credited to the urban arterial trust account created by RCW 47.26.080:

(4) Three-eighths of one cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350:

(5) One-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050. PROVIDED, That the funds allocated to a city or town which are attributable to such one-half cent of the additional tax imposed by this 1961 amendatory act shall be used exclusively for the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963 in the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120. All such sums shall first be subject to proper deductions for refunds and costs of collection as provided in RCW 46.68.090)) provided in RCW 46.68.100, as now or hereafter amended.

Sec. 3. Section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100 are each amended to read as follows:

Every person other than a distributor who acquires any motor vehicle fuel within this state upon which payment of tax is required under the provisions of this chapter, or imports such motor vehicle fuel into this state and sells, distributes, or in any manner uses it in this state shall, if the tax has not been paid, apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay ((a) an excise tax ((of nine cents)) at the rate computed in the manner provided in section 6 of this 1977 amendatory act for each gallon thereof so sold, distributed, or used during the fiscal half-year for which such rate is applicable in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. The proceeds of the tax imposed by this section shall be distributed in the manner provided for the distribution of the motor vehicle fuel excise tax in RCW 82.36.020 as now or hereafter amended. However, a distributor licensed under the provisions of this chapter may deliver motor vehicle fuel to an importer in individual quantities of five hundred gallons or less and assume the liability for payment of the tax to this state. Under such conditions, the importer shall be exempt from the requirements of this section. For failure to comply with the terms of this chapter such person shall be subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distributors. Nothing herein shall be construed as classifying such persons as distributors.

Sec. 4. Section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030 are each amended to read as follows:

In consideration of the use of the public highways of this state, motor carriers who import motor vehicle fuel into the state of Washington in the fuel supply tank or tanks of commercial motor vehicles for use in propelling said vehicles on said highways shall be subject to a tax for such use of the highways as hereinafter provided. A tax at the rate ((of nine cents)) computed in the manner provided in section 6 of this 1977 amendatory act per gallon is hereby imposed upon every motor carrier measured and determined by the number of gallons of motor vehicle fuel so imported and actually used by such motor carrier in its operations within this state during the fiscal half-year for which such rate is applicable.

Sec. 5. Section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter 62, Laws of 1975 1st ex. sess. and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax ((of nine cents)) at the rate computed in the manner provided in section 6 of this 1977 amendatory act per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use (within the meaning of the word use as defined herein) of special fuel in any motor vehicle((~~PROVIDED, That in order to encourage experimentation with nonpolluting fuels, no tax shall be imposed upon the use of natural gas as herein defined or on liquefied petroleum gas, commonly called propane, which is used in any motor vehicle until July 1, 1977)~~) during the fiscal half-year for which such rate is applicable.

(2) Said tax shall be collected by the special fuel dealer and shall be paid over to the department as hereinafter provided: (a) With respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles or into storage facilities used for the fueling of motor vehicles at unbonded service stations in this state; or (b) in all other transactions where the purchaser indicates in writing to the special fuel dealer prior to or at the time of the delivery that the entire quantity of the special fuel covered by the delivery is for use by him for a taxable purpose as a fuel in a motor vehicle.

(3) Said tax shall be paid over to the department by the special fuel user as hereinafter provided: (a) With respect to special fuel upon which the tax has not previously been imposed which was acquired in any

manner other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle in this state; or (b) in all transactions with a special fuel dealer in this state where a written statement has not been furnished to the special fuel dealer as set forth in subsection (2)(b) of this section.

It is expressly provided that delivery of special fuel may be made without collecting the tax otherwise imposed, when such deliveries are made by a bonded special fuel dealer to special fuel users who are authorized by the department as hereinafter provided, to purchase fuel without payment of tax to the bonded special fuel dealer.

**NEW SECTION.** Sec. 6. There is added to chapter 82.36 RCW a new section to read as follows:

(1) (a) During the fifth month of each fiscal half-year ending June 30th and December 31st of each year, the department of motor vehicles shall compute a motor vehicle fuel tax rate to the nearest one-half cent per gallon of motor vehicle fuel by multiplying twenty-one and one-half percent times the weighted average retail sales price of motor vehicle fuel, per gallon, sold within the state in the third month of such fiscal half-year. The department of motor vehicles shall determine the weighted average retail sales price of motor vehicle fuel by state-wide sampling and survey techniques designed to reflect such prices for the third month of such fiscal half-year. The department shall establish reasonable guidelines for its sampling and survey methods.

(b) Subject to provisions of subsections (2) and (3) of this section the excise tax rate computed in the manner provided in subsection (1) of this section shall apply to the sale, distribution, or use of motor vehicle fuel beginning the fiscal half-year following computation of the rate and shall remain in effect for each succeeding fiscal half-year until a subsequent computation requires a change in the rate. For the first fiscal half-year after the effective date of this 1977 amendatory act, the motor vehicle fuel tax shall be eleven cents per gallon.

(2) (a) The motor vehicle fuel tax rate for any fiscal half-year shall not exceed twelve cents per gallon nor exceed a rate as computed in this subsection.

(b) Each fiscal half-year at the time the department of motor vehicles computes the excise tax rate for the ensuing fiscal half-year of a biennium, the department shall estimate the total aggregate motor vehicle fuel tax revenues and the total of all other state revenues which will accrue to the motor vehicle fund during the full biennium. The estimated total aggregate motor vehicle fuel tax revenues for the biennium shall include those revenues which have accrued to the motor vehicle fund for the half-year or half-years of the biennium that have then elapsed plus revenues which the department determines will accrue during the remaining fiscal half-years of the biennium, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the remaining fiscal half-years of the biennium shall be at the same volume as during the fiscal half-year last ended, adjusted however for the historic variations in sales, distribution, and use according to half-yearly periods and for projected trends, and at the weighted average retail sales price of motor vehicle fuel as last determined by the department of motor vehicles. The estimated total of all other state revenues to accrue to the motor vehicle fund during the biennium shall include those revenues (other than the aggregate motor vehicle fuel tax revenues) which have accrued to the motor vehicle fund for the half-year or half-years of the biennium that have then elapsed plus revenues which the department of highways with the concurrence of the office of program planning and fiscal management determines will accrue during the remaining fiscal half-years of the biennium, assuming that collections of such revenues for the remaining fiscal half-years of the biennium shall be at the same level as during the fiscal half-year just ended, adjusted however for historic variations in collections according to half-yearly periods and for projected trends, and shall include state revenues in the motor vehicle fund balance as of the end of the prior biennium as certified by the state treasurer, less an appropriate minimum balance for the biennium as determined by the department of highways with the concurrence of the office of program planning and fiscal management and the proceeds of the sale of bonds but shall not include reimbursements to the motor vehicle fund for services performed by the department of highways for others.

(c) If the estimated biennial aggregate motor vehicle fuel tax revenues as computed in paragraph (b) of this subsection, exceed the total of all appropriations, reappropriations, and transfers of state revenues from the motor vehicle fund for the biennium (less the estimated total of all other state revenues which will accrue to the motor vehicle fund during the biennium as computed in paragraph (b) of this subsection) by more than five percent thereof, the rate of the motor vehicle fuel tax (computed as provided in subsection (1) of this section) shall be reduced by one-half cent increments, commencing at the beginning of the ensuing fiscal half-year, as may be necessary to reduce such estimated total revenues for the full biennium to within the total of such appropriations, reappropriations, and transfers plus five percent thereof.

(3) (a) Notwithstanding any other provisions of this section the excise tax rate for any fiscal half-year shall not be less than nine cents per gallon nor less than the rate as computed in this subsection.

(b) Each fiscal half-year at the time the department of motor vehicles computes the excise tax rate for the ensuing fiscal half-year of a fiscal year, the department shall estimate the total aggregate motor vehicle fuel tax revenues which will accrue to the motor vehicle fund during such fiscal year in the same manner that such revenues are estimated for a full biennium. If such estimated aggregate motor vehicle fuel tax revenues for the fiscal year are less than an amount equal to the aggregate motor vehicle fuel tax revenues collected during the fiscal year ending June 30, 1973, increased by six percent per year compounded annually for each year which has elapsed from June 30, 1973, to June 30th of the fiscal year for which estimated aggregate motor vehicle fuel tax revenues were computed, the department shall increase the rate of the excise tax by one-half cent increments, but not to exceed a total excise tax of twelve cents per gallon, commencing at the beginning of the ensuing fiscal half-year as necessary to produce estimated aggregate motor vehicle fuel tax revenues for such fiscal year as great as such revenues collected during the 1973 fiscal year

increased by six percent per year compounded annually from June 30, 1973, to June 30th of the fiscal year for which such minimum half-yearly tax rate is being computed.

(4) (a) Except as otherwise provided in paragraph (b) of this subsection, if the department of highways receives notification that unanticipated federal funds in excess of one million dollars above appropriations of federal funds from the motor vehicle fund for a biennium will be received for expenditure during that biennium, the highway commission shall give notice of the amount of such unanticipated funds to the department of motor vehicles which shall include such amount in the computation of the estimated total of all other state revenues to accrue during the biennium under paragraph (b) of subsection (2) of this section for purposes of computing the maximum rate of motor vehicle fuel tax as provided in this section.

(b) Upon receipt by the department of highways of notification that unanticipated federal funds in excess of one million dollars above appropriations of federal funds from the motor vehicle fund for a biennium will be received for expenditure during that biennium, if the highway commission determines that such funds or any part thereof may not legally or operationally be substituted for purposes for which state motor vehicle fund moneys have been appropriated, or determines that substitution of such federal funds for state funds would delay the construction of needed highway improvements, the highway commission shall forthwith notify the governor and the standing committees on transportation of the house and senate of its determination. If both the governor and the standing committees concur in the commission's determination, the unanticipated federal funds shall not be considered by the department of motor vehicles in computing the estimated total of all other state revenues to accrue during the biennium under paragraph (b) of subsection (2) of this section.

Sec. 7. Section 35.77.010, chapter 7, Laws of 1965 as last amended by section 1, chapter 215, Laws of 1975 1st ex. sess. and RCW 35.77.010 are each amended to read as follows:

(1) (~~(Prior to July 1, 1968;)~~) The legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive street program for the ensuing six calendar years and shall file the same with the director of highways not more than thirty days after its adoption. Annually thereafter the legislative body of each city and town shall review the work accomplished under the program and determine current city street needs. Based on these findings each such legislative body prior to July 1st of each year shall prepare and after public hearings thereon adopt a revised and extended comprehensive street program, and each one year extension and revision shall be filed with the director of highways not more than thirty days after its adoption. The purpose of this section shall be to assure that perpetually each city and town shall have available advanced plans, looking to the future for not less than six years as a guide in carrying out a coordinated street construction program. Such program may at any time be revised by a majority of the legislative body of a city or town, but only after a public hearing.

The six year program of each city lying within an urban area shall contain a separate section setting forth the six year program for arterial street construction based upon its long range construction plan and formulated in accordance with regulations of the urban arterial board. The six year program for arterial street construction shall be submitted to the urban arterial board forthwith after its annual revision and adoption by the legislative body of the city. The six year program for arterial street construction shall be based upon estimated revenues available for such construction together with such additional sums as the legislative authority may request for urban arterials only from the urban arterial trust account for the six year period. The arterial street construction program shall provide for a more rapid rate of completion of the long range construction needs of major arterial streets than for secondary and collector arterial streets, pursuant to regulations of the urban arterial board; PROVIDED, That urban arterial trust funds made available to the group of incorporated cities lying outside the boundaries of federally approved urban areas within each region need not be divided between functional classes of arterials but shall be available for any designated arterial street.

(2) On and after July 1, 1976, each six year program forwarded to the director in compliance with subsection (1) of this section shall contain information as to how a city or town will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for bicycle, pedestrian, and equestrian purposes.

Sec. 8. Section 46.68.090, chapter 12, Laws of 1961 as last amended by section 74, chapter 32, Laws of 1967 and RCW 46.68.090 are each amended to read as follows:

All moneys which have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and ~~((use))~~ special fuel tax shall be first expended for the following purposes:

(1) For payment of refunds of motor vehicle fuel tax and ~~((use))~~ special fuel tax which has been paid and is refundable as provided by law;

(2) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of motor vehicles of the state of Washington in the administration of the motor vehicle fuel tax and the ~~((use))~~ special fuel tax, said sums to be distributed monthly.

The amount accruing to the motor vehicle fund by virtue of the motor vehicle fuel tax and the ~~((use))~~ special fuel tax and remaining after payments as provided in subsections (1) and (2) above shall, for the purposes of this chapter, be referred to as the 'net tax amount.'

Sec. 9. Section 46.68.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 51, Laws of 1977 and RCW 46.68.100 are each amended to read as follows:

From the net tax amount in the motor vehicle fund there shall be paid monthly as funds accrue the following sums ((as follows)):

(1) ((There shall be paid to the cities and towns of the state sums equal to ten and forty-four hundredths percent of the net tax amount to be paid monthly as the same accrues;

(2) To the counties of the state there shall be paid sums equal to thirty-two and sixty-one hundredths percent of the net tax amount out of which there shall be distributed from time to time, as directed by the highway commission, those sums as may be necessary to carry out the provisions of RCW 47.56.725 as now or hereafter amended, with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(3) To the state there shall be paid to be expended as provided by RCW 46.68.130, sums equal to fifty-five and five-tenths percent of the net tax amount to be paid monthly as the same accrues.

(4) There shall be paid to the Puget Sound ferry operations account sums equal to one and forty-five hundredths percent of the net tax amount to be paid monthly as the same accrues)) To the cities and towns, to be distributed as provided by RCW 46.68.110, sums equal to six and ninety-two hundredths percent of the net tax amount;

(2) To the cities and towns, to be expended as provided by section 10 of this 1977 amendatory act, sums equal to four and sixty-one hundredths percent of the net tax amount;

(3) To the counties, sums equal to twenty-two and seventy-eight hundredths percent of the net tax amount out of which there shall be distributed from time to time, as directed by the highway commission, those sums as may be necessary to carry out the provisions of RCW 47.56.725, with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(4) To the urban arterial trust account in the motor vehicle fund, sums equal to seven and twelve hundredths percent of the net tax amount;

(5) To the state, to be expended as provided by RCW 46.68.130, sums equal to forty-five and twenty-six hundredths percent of the net tax amount;

(6) To the state, to be expended as provided by RCW 46.68.150 as now or hereafter amended, sums equal to six and ninety-five hundredths percent of the net tax amount;

(7) To the Puget Sound reserve account in the motor vehicle fund sums equal to three and twenty-one hundredths percent of the net tax amount;

(8) To the Puget Sound ferry operations account in the motor vehicle fund sums equal to three and fifteen hundredths percent of the net tax amount.

Nothing in this section or in RCW 46.68.090 as now or hereafter amended or 46.68.130 shall be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor and special vehicle fuels.

**NEW SECTION.** Sec. 10. There is added to chapter 46.68 RCW a new section to read as follows:

The sums distributed to cities and towns as set forth in subsection (2) of RCW 46.68.100, as now or hereafter amended, shall be allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050, to be used exclusively for the construction, improvement, and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963, in the construction, improvement, and repair of arterial highways and city streets.

Sec. 11. Section 9, chapter 83, Laws of 1967 ex. sess. and RCW 46.68.150 are each amended to read as follows:

The ((proceeds of five-eighths of one cent of motor vehicle fuel tax and use fuel tax) sums distributed to the state pursuant to RCW ((82.36.020(2), after proper deductions for refunds and costs of collection as provided in RCW 46.68.090)) 46.68.100(6) as now or hereafter amended, and the proceeds of bonds issued and sold pursuant to RCW 47.26.400 through 47.26.407 shall be expended by the state highway commission for construction and improvement of state highways in urban areas as provided for in RCW 47.26.040 through 47.26.070 or for payment of principal and interest on bonds issued pursuant to RCW 47.26.400 through 47.26.407: PROVIDED, That at the end of each fiscal quarter the state treasurer shall determine the amount, if any, that the sums distributed to the state pursuant to RCW 46.68.100(6) as now or hereafter amended exceed an amount equivalent to the proceeds of five-eighths of one cent motor vehicle and special fuel excise tax collected on the net gallonage after the deductions provided for in RCW 82.36.020 for the preceding fiscal quarter. The amount so ascertained shall be available first to repay the counties, cities, and towns for any moneys derived from excise taxes on motor vehicle and special fuels distributable to the counties, cities, and towns pursuant to RCW 46.68.100 but as a result of the pledge and debt service payment provisions contained in RCW 47.26.404 and 47.26.405 and as certified by the state finance committee have been used to repay state urban bonds (and interest thereon) authorized by RCW 47.26.400 through 47.26.407, and after such sums have been repaid in full, then for expenditure as provided in RCW 46.68.130.

Sec. 12. Section 10, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 253, Laws of 1975 1st ex. sess. and RCW 47.26.040 are each amended to read as follows:

The term "urban area" means every area of this state designated as an urban area by the state highway commission with the approval of the federal ((department of the)) secretary of transportation ((or the federal highway administrator)) in accordance with federal law, hereafter referred to as federally approved urban areas, or areas within incorporated cities ((as determined by the office of program planning and fiscal management)).

Sec. 13. Section 24, chapter 83, Laws of 1967 ex. sess. as amended by section 2, chapter 253, Laws of 1975 1st ex. sess. and RCW 47.26.180 are each amended to read as follows:

Arterial designation and classification, as provided for by this chapter, shall be required to be an integral and coordinated portion of its planning process as authorized by chapters 35.63 or 36.70 RCW. The legislative authority of each county and city lying within or having within its boundaries an urban area shall with the advice and assistance of its chief engineer and its planning office divide all of its roads or streets into arterial roads or streets and access roads or streets and shall further subdivide the arterials into three functional classes to be known as major arterials, secondary arterials, and collector arterials, all in accordance with uniform standards established by the urban arterial board; PROVIDED, That incorporated cities lying outside federally approved urban areas shall not be required to subdivide arterials into functional classes. Upon receipt of the classification plans of the several counties and cities, the urban arterial board shall review and revise the classification for the urban arterials as necessary to conform with its uniform standards for classifying urban arterials.

Sec. 14. Section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 2, chapter 126, Laws of 1973 1st ex. sess. and RCW 47.26.190 are each amended to read as follows:

~~((Once each calendar quarter, the urban arterial board shall apportion funds credited to the urban arterial trust account, including the proceeds from motor vehicle fuel tax revenues, bond sales, anticipatory notes and interfund loans, which are available for the construction and improvement of urban arterials among))~~ (1) At the beginning of each biennium the urban arterial board shall establish apportionment percentages for the five regions defined in RCW 47.26.050 in the manner prescribed in RCW 47.26.060 ((relating to the apportionment of state urban funds)) for that biennium, except calculations of needs shall be based upon a projection of needs for the ensuing six year period as determined by the state highway commission. Except as otherwise provided in subsection (3) of this section, such apportionment percentages shall be used once each calendar quarter by the urban arterial board to apportion funds credited to the urban arterial trust account which are available for expenditure for urban arterial projects. The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules and regulations of the urban arterial board.

(2) All amounts credited to the urban arterial trust account, except those provided for in subsection (3) of this section and except proceeds from the sale of first authorization bonds and any funds that may be required to repay such bonds or the interest thereon when due, after apportionment to each region, shall be divided on the basis of relative population established at the beginning of each biennium by the office of program planning and fiscal management between (a) the group of cities and that portion of those counties within federally approved urban areas and (b) the group of incorporated cities outside the boundaries of federally approved urban areas. Within each region, funds divided between the groups identified under (a) and (b) above shall then be allocated by the urban arterial board to incorporated cities and counties, as the case may be, for the construction of specific urban arterial projects in accordance with the procedures set forth in RCW 47.26.240.

(3) At the beginning of each biennium the urban arterial board shall establish apportionment percentages for each of the five regions for the apportionment of the proceeds from the sale of fifteen million dollars of series II bonds authorized by RCW 47.26.420, as now or hereafter amended, in the ratio which the population of the incorporated cities and towns lying outside the boundaries of federally approved urban areas of each region bears to the total population of all incorporated cities and towns of the state lying outside the boundaries of federally approved urban areas, as such populations are determined at the beginning of each biennium by the office of program planning and fiscal management. Such apportionment percentages shall be used once each calendar quarter by the urban arterial board to apportion funds credited to the urban arterial trust account which are available for expenditure for urban arterial projects. The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules and regulations of the urban arterial board. Funds apportioned to each region shall be allocated by the urban arterial board to incorporated cities lying outside the boundaries of federally approved urban areas, for the construction of specific urban arterial projects in accordance with the procedures set forth in RCW 47.26.240.

Sec. 15. Section 30, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.240 are each amended to read as follows:

Upon receipt of a county's or city's revised six year program, the urban arterial board as soon as practicable shall review and may revise the construction program as it relates to urban arterials for which urban arterial trust account moneys are requested as necessary to conform to (1) the priority rating of the proposed project, based upon the factors in RCW 47.26.220, in relation to proposed projects in all other urban arterial construction programs submitted by the cities and counties ((in the same region)), and within each region, projects proposed by the group of cities and counties within federally approved urban areas shall be evaluated separately from the projects proposed by the group of incorporated cities outside the boundaries of federally approved urban areas; and (2) the amount of urban arterial trust account funds which the urban arterial board estimates will be apportioned to the region, and further divided between the group of cities and counties within federally approved urban areas and the group of incorporated cities outside the boundaries of federally approved urban areas, in the ensuing six year period.

Sec. 16. Section 33, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.270 are each amended to read as follows:

Counties and cities receiving funds from the urban arterial trust account for construction of arterials shall provide such matching funds as shall be established by regulations recommended by the urban arterial board subject to review, revision, and final approval by the state highway commission. Matching requirements shall be established after appropriate studies by the board taking into account (1) financial resources available to counties and cities to meet arterial needs, (2) the amounts and percentages of funds available for

road or street construction traditionally expended by counties and cities on arterials, (3) in the case of counties, the relative needs of arterials lying outside urban areas, and (4) the requirements necessary to avoid diversion of funds traditionally expended for arterial construction to other street or road purposes or to nonhighway purposes: PROVIDED HOWEVER, That for projects funded subsequent to the effective date of this 1977 amendatory act, and prior to July 1, 1983, cities and counties may use as matching funds any moneys received from any source, except such moneys which by law may not be used for the purposes set forth in this chapter.

Sec. 17. Section 41, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.405 are each amended to read as follows:

Any funds required to repay such bonds, or the interest thereon when due (~~subject to the proviso of this section;~~) shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the state under the provisions of RCW ~~((82.36.020(2)))~~ 46.68.100(6) as now or hereafter amended for construction of state highways in urban areas, and shall never constitute a charge against any allocations of any other such funds to the state, counties, cities, and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle and special fuels and available to the state for construction of state highways in urban areas proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

Sec. 18. Section 45, chapter 83, Laws of 1967 ex. sess. as amended by section 4, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.420 are each amended to read as follows:

In order to provide funds necessary to meet the urgent construction needs on county and city arterials within urban areas, there ~~((shall be issued and sold))~~ are hereby authorized for issuance general obligation bonds of the state of Washington, the first authorization of which shall be in the sum of two hundred million dollars ~~((or such amount thereof)), and the second authorization of which, to be known as series II bonds, shall be in the sum of sixty million dollars which shall be issued and sold in such amounts and at such times as determined to be necessary by the state highway commission.~~ The amount of such bonds issued and sold under the provisions of RCW 47.26.420 through 47.26.427 in any biennium shall not exceed the amount of a specific appropriation therefor, from the proceeds of such bonds, for the construction of county and city arterials in urban areas. The issuance, sale, and retirement of said bonds shall be under the supervision and control of the state finance committee which, upon request being made by the state highway commission, shall provide for the issuance, sale, and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as shall be requested by the state highway commission.

Sec. 19. Section 49, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.424 are each amended to read as follows:

Bonds issued under the provisions of RCW 47.26.420 through 47.26.427 shall distinctly state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay such principal and interest as the same shall become due. The principal and interest on such bonds shall be first payable in the manner provided in RCW 47.26.420 through 47.26.427 from the proceeds of state excise taxes on motor vehicle and special fuels imposed by chapters 82.36 ((RCW and chapter 82.40)), 82.37, and 82.38 RCW. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.26.420 through 47.26.427, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle and special fuels in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the provisions of RCW 47.26.420 through 47.26.427.

Sec. 20. Section 50, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.425 are each amended to read as follows:

Any funds required to repay ~~((such))~~ the first authorization of two hundred million dollars of bonds authorized by RCW 47.26.420, as amended by section 18 of this 1977 amendatory act or the interest thereon when due, ~~((subject to the proviso of this section;))~~ shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the urban arterial trust account in the motor vehicle fund, and shall never constitute a charge against any allocations of any other such funds in the motor vehicle fund to the state, counties, cities, and towns unless and until the amount of the motor vehicle fund arising from the excise tax on motor vehicle and special fuels and distributed to the urban arterial trust account proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

NEW SECTION. Sec. 21. There is added to chapter 47.26 RCW a new section, to be codified as RCW 47.26.4251 and to become a part of the series of RCW sections 47.26.420 through 47.26.427, to read as follows:

Any funds required to repay the authorization of series II bonds authorized by RCW 47.26.420, as amended by section 18 of this 1977 amendatory act, or the interest thereon when due, shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund, subject, however, to the prior lien of the first authorization of bonds authorized by RCW 47.26.420, as amended by section 18 of this 1977 amendatory act. If the moneys distributed to the urban arterial trust account shall ever be insufficient to repay the first authorization bonds together with interest thereon, and the series II bonds or the interest thereon when due, the amount required to make such payments on such bonds or interest thereon shall next be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is

distributed to the state, counties, cities, and towns pursuant to RCW 46.68.100 as now or hereafter amended. Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues which are distributable to the state, counties, cities, and towns, shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds or series II bonds or interest on said bond issues.

Sec. 22. Section 14, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.080 are each amended to read as follows:

There is hereby created in the motor vehicle fund the urban arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the urban arterial trust account shall be expended for the construction and improvement of city arterial streets and county arterial roads within urban areas, for expenses of the urban arterial board, or for the payment of principal or interest on bonds issued for the purpose of constructing or improving city arterial streets and county arterial roads within urban areas, or for reimbursement to the state, counties, cities, and towns in accordance with section 21 of this 1977 amendatory act, the amount of any payments made on principal or interest on urban arterial trust account bonds from motor vehicle or special fuel tax revenues which were distributable to the state, counties, cities, and towns.

**NEW SECTION.** Sec. 23. If any provision of this 1977 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.

**NEW SECTION.** Sec. 24. This 1977 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 July 1, 1977, except for section 9, which shall take effect on September 1, 1977."

On line 1 of the title, after "taxation;" strike the remainder of the title, and insert "amending section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 156, Laws of 1971 ex. sess. and RCW 82.36.010; amending section 1, chapter 28, Laws of 1974 ex. sess. and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100; amending section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030; amending section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter 62, Laws of 1975 1st ex. sess. and RCW 82.38.030; amending section 35.77.010, chapter 7, Laws of 1965 as last amended by section 1, chapter 215, Laws of 1975 1st ex. sess. and RCW 35.77.010; amending section 46.68.090, chapter 12, Laws of 1961 as last amended by section 74, chapter 32, Laws of 1967 and RCW 46.68.090; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 51, Laws of 1977 and RCW 46.68.100; amending section 9, chapter 83, Laws of 1967 ex. sess. and RCW 46.68.150; amending section 10, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 253, Laws of 1975 1st ex. sess. and RCW 47.26.040; amending section 14, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.080; amending section 24, chapter 83, Laws of 1967 ex. sess. as amended by section 2, chapter 253, Laws of 1975 1st ex. sess. and RCW 47.26.180; amending section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 2, chapter 126, Laws of 1973 1st ex. sess. and RCW 47.26.190; amending section 30, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.240; amending section 33, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.270; amending section 41, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.405; amending section 45, chapter 83, Laws of 1967 ex. sess. as amended by section 4, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.420; amending section 49, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.424; amending section 50, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.425; adding a new section to chapter 46.68 RCW; adding new sections to chapter 47.26 RCW, one of which is to be codified as RCW 47.26.4251; adding a new section to chapter 82.36 RCW; declaring emergency; and providing effective dates."

Signed by Representatives Gilleland, Ranking Minority Member; Berentson, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, McCormick, Paris, Patterson, Walk, Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Burns.

To Committee on Rules for second reading.

May 24, 1977

SUBSTITUTE SENATE BILL NO. 2544, Prime Sponsor: Senator Henry, making appropriations and authorizing reimbursable expenditures relating to highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clayton, Clemente, Dunlap, Gaines, Gallagher, Grier, Lysen, McCormick, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.



## MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

## THIRD READING

ENGROSSED SENATE BILL NO. 2159, by Senators Woody, Clarke, Day, Sellar and Hayner:

Permitting a counterclaim for malicious prosecution in the principal action.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Knowles that ENGROSSED SENATE BILL NO. 2159 be rereferred to Committee on Judiciary.

Mr. Knowles spoke in favor of the motion, and Mr. Newhouse spoke against it.

Mr. Bender 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 Adams, Dunlap, Eng, Erickson, Fancher, Leckenby, Warnke and Winsley.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Knowles to rerefer Engrossed Senate Bill No. 2159 to the Committee on Judiciary.

Mr. Oliver spoke against the motion, and Mr. Smith spoke in favor of it.

## POINT OF ORDER

Mr. Newhouse: "I recognize that the issue is wide open, but the gentleman is not talking to the bill or to the motion to send back to committee. He's talking about a committee amendment that is not before us."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Reed's Rule 120 states as follows: 'The motion to commit is debatable, but the merits of the main question are not open to discussion on this motion...' However, in this case the Speaker has been lenient on both sides. I would hope, Representative Smith, that you would adhere as closely as possible to the motion to rerefer Engrossed Senate Bill No. 2159 to Committee on Judiciary."

Mr. Smith continued his remarks in favor of the motion, and Mr. Knowles spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 2159 to Committee on Judiciary.

## POINT OF ORDER

Mr. Ehlers: "I believe the machine malfunctioned because we are under the Call of the House, and I am not recorded."

The Speaker (Mr. O'Brien presiding): "Due to some conflict here and some dispute, we'll ask for a new roll call."

## POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I would like the record to show that at the time the Speaker stopped the roll call machine, Representative Ehlers was voting and was probably in the process of switching his vote; that he was at his chair, and that he was voting at the time the machine was stopped. Therefore, he was voting and the votes are final. We should not allow this type of playing around with our roll call machine."

## POINT OF ORDER

Mr. King: "Mr. Speaker, the instructions given by a member of the minority are pure conjecture. They are, in effect, impugning the motives of a member of this body."

## POINT OF ORDER

Mr. Pardini: "Mr. Speaker, my point of order is that once an electric roll call is started, it cannot be interrupted. I suggest that we conclude the preceding roll call by instructing Representative Ehlers to insert a statement in the Journal as to which way he wants to vote. The vote has not been announced. The vote is still in process. If Representative Ehlers' vote is not recorded, we should not interrupt the roll call; he should place a statement in the Journal."

## POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I don't suggest that Representative Newhouse was impugning my motives because I don't know that Representative Newhouse knows which way I was voting—he said I was voting. How did he know which way I was voting?"

## POINT OF ORDER

Mr. Polk: "Since the roll call is still underway, how does Mr. Ehlers vote? We now know how the rest of the House members voted. How does Mr. Ehlers vote? The rules require that every member vote who is in the bar of the House and since we are still on this roll call, I think Mr. Ehlers should be instructed to vote."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Due to the malfunctioning of the electric roll call machine, the Clerk will start a new roll call."

## ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 2159 to Committee on Judiciary and the motion was lost by the following vote: Yeas, 45; nays, 45; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Fischer, Gallagher, Grier, Grimm, Gruger, Hanna, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., North, Owen, Pearsall, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Valle, Vrooman, Walk, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Hawkins, Heck, Hurley M., Lee, Martinis, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Struthers, Taller, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Dunlap, Eng, Erickson, Fancher, Leckenby, Warnke, Winsley.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2159.

Representatives Zimmerman, Polk, Deccio and Oliver spoke in favor of passage of the bill, and Representatives Knedlik, Smith and Kilbury spoke against it.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I think the allegations made by Representative Polk should be answered. It sounds to me from what he says, that there is an opportunity for a shakedown to be conducted here. That is probably not the proper term, but—. What are the chances for someone in Mr. Polk's position, an architect or an engineer or a doctor, in such an event? Can you describe what the present law does provide here to protect one from this kind of a malicious harassment?"

Mr. Knowles: "That is very difficult to answer, Representative Douthwaite. I presume to prepare his defenses, hire his attorney, and present his defenses, just like any of the rest of us would have to do."

Representatives Douthwaite and Hurley (George) spoke against passage of the bill, and Mr. Barnes spoke in favor of it.

Mr. Knowles demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2159, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 43; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Ehlers, Flanagan, Fortson, Fuller, Gilleland, Greengo, Haley, Hansen, Hawkins, Heck, Hurley M., Kreidler, Lee, Martinis, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Paris, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shinpoch, Struthers, Tally, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charnley, Clemente, Conner, Douthwaite, Enbody, Erak, Fischer, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., North, Owen, Pardini, Pearsall, Salatino, Sherman, Smith, Sommers, Valle, Vrooman, Walk, Williams.

Not voting: Representatives Adams, Dunlap, Eng, Erickson, Fancher, Leckenby, Warnke, Winsley.

Engrossed Senate Bill No. 2159, having failed to receive the constitutional majority, was declared lost.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Sommers, Knedlik and Winsley as conferees on Engrossed Senate Bill No. 2451.

The Speaker (Mr. O'Brien presiding) appointed Representatives Smith, Sherman and Winsley as conferees on Substitute House Bill No. 183.

The Speaker (Mr. O'Brien presiding) appointed Representatives Smith, Knedlik and Newhouse as conferees on Engrossed Substitute House Bill No. 353.

The Speaker (Mr. O'Brien presiding) appointed Representatives Knowles, Boldt and Tilly as conferees on Engrossed Substitute Senate Bill No. 2143.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. Boldt, the House dispensed with further business under the Call of the House.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

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

## SECOND READING

ENGROSSED SENATE BILL NO. 2113, by Committee on Higher Education (Originally sponsored by Senator Washington):

Authorizing resident tuition and fee rates at institutions of higher education to certain nonimmigrant alien families.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day ex. sess., April 5, 1977.)

On motion of Mr. Burns, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2113 as amended by the House was placed on final passage.

Mr. Burns spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Burns yielded to question by Mr. Greengo.

Mr. Greengo: "I noticed in reading the digest of the bill, that not only does it apply to the alien, but to all of their children. Is that right?"

Mr. Burns: "That is correct."

Mr. Greengo: "Well then it applies to a considerably greater number. In fact, many times that number of who are actually attending a particular college or university. Is that right?"

Mr. Burns: "Yes, Representative Greengo, you are right, it could, but at the present time there are only two people who are affected by the bill who are enrolled in the University of Washington."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2113 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 5; not voting, 18.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Greengo, Lee, Patterson, Struthers.

Not voting: Representatives Adams, Barnes, Barr, Berentson, Chandler, Dunlap, Eng, Erickson, Fancher, Fuller, Haley, Hanna, Leckenby, Martinis, Moreau, Shipoch, Sommers, Winsley.

Engrossed Substitute Senate Bill No. 2113 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. 2132**, by Committee on Local Government (Originally sponsored by Senators Washington, Sellar and Talley):

Raising the salary of PUD commissioners.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2132 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Thompson, might I just relieve a question in my own mind. Does this new bill mandate that for a district over fifteen million that they automatically get this \$500 a month, or do they have to pass a resolution increasing this salary amount?"

Mr. Thompson: "My understanding, Representative Tilly, is that it would require positive action by the board to obtain this salary."

Mr. Tilly: "More than just the statute?"

Mr. Thompson: "We are not establishing salaries. It would require action by the district."

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Blair.

Mr. Blair: "Under the formula, Representative Thompson, that permits salary increases based on the growth of business, if you will, of the PUD, you've established that \$500 per month would be an equitable salary for an enterprise that handles \$15 million per year worth of activity. Did I understand you correctly?"

Mr. Thompson: "Gross operating revenues of over \$15 million."

Mr. Blair: "Did you extrapolate that same formula to the Washington State Legislature with its approximately \$4 billion per biennium in revenues, and if so, what kind of salary should the members of the Legislature be receiving?"

Mr. Thompson: "There is certain equity in the suggestion you're making here, Representative Blair, and although it hadn't occurred to us before, I think that it would be simple to incorporate into an interim study that the Local Government Committee plans to take up on district salaries generally, to bring about some equity."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2132, and the bill passed the House by the following vote: Yeas, 80; nays, 2; not voting, 16.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Smith, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Lee, Tilly.

Not voting: Representatives Adams, Barnes, Berentson, Eng, Erickson, Fancher, Haley, Leckenby, Martinis, McCormick, Moreau, Paris, Schmitt, Shinpoch, Sommers, Winsley.

Substitute Senate Bill No. 2132, 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. 2202, by Senators Donohue and Odegaard (by Department of Natural Resources request):

Regulating funds and properties managed by the department of natural resources.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2202 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2202, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Eng, Erickson, Fancher, Haley, Hanna, Leckenby, Martinis, Moreau, Shinpoch, Winsley.

Senate Bill No. 2202, 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. 2654, by Committee on Ecology (Originally sponsored by Senator Bottiger):

Modifying public notice and judicial review provisions of the environmental policy act.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mrs. Valle, the committee amendments were adopted.

Mr. Blair moved adoption of the following amendment:

On page 5, line 9 after "is" insert "granted."

Representatives Blair, Charnley, Valle and Barr spoke in favor of the amendment, and Representatives Gallagher and Hansen spoke against it.

The amendment was adopted.

Mr. Blair moved adoption of the following amendments:

On page 5, line 11 after "appealable" insert "either"

On page 5, line 12 after "agency" insert "or"

Representatives Blair and Charnley spoke in favor of the amendments, and Representatives Schmitt, Valle and Barr spoke against them.

Mr. Blair spoke again in favor of the amendments.

POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Hughes.

Mr. Hughes: "Representative Blair, there is some concern on the part of some of the members of the Ecology Committee that technically this amendment may present a problem. If the amendment was adopted, the decision to condition or deny a permit under SEPA would be appealable to the local legislative authority or appealable pursuant to appeal by that authority. Does the amendment say who would determine the route the appeal would take? Does it leave that question open to court interpretation?"

Mr. Blair: "My belief is that the route would be selected by the local legislative body. That was the intent of my amendment and if I have been too brief, then I am sorry, but certainly what I intended was that the local legislative body would be the determining group that would determine the route that was to be followed."

The amendments were not adopted.

Engrossed Substitute Senate Bill No. 2654 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2811, by Committee on Education (Originally sponsored by Senator McDermott):

Providing for disposal of moneys in associated student body program fund, including moneys received by students for private purposes.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day ex. sess., May 6, 1977.)

Mr. Clemente moved adoption of the committee amendments and spoke against them.

The committee amendments were not adopted.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Pardini:

On page 2, line 19 after section 1 insert the following new sections:

\*NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Every school district in carrying out its other powers and duties as provided by law, shall if such tests or services are unavailable in the private school in which the student is regularly enrolled:

(1) Provide hearing tests, visual tests and other health services, as well as standardized academic achievement tests to all students enrolled in a private school located within a school district, when such tests and/or services are provided to public school students in such districts: PROVIDED, HOWEVER, That such health services shall not include psychological testing, diagnosis or treatment.

(2) In the case of any testing or services authorized under subsection (1) of this section not requiring administration by specialized personnel, provided for such testing and services to be performed by personnel of the private school.

(3) In the case of any testing or services authorized under subsection (1) of this section, provide such tests and services on the premises of the school in which the student is normally considered a full time student, including private school premises. The superintendent of public instruction shall recognize the costs to each school district occasioned by the testing and/or services provided for students authorized by this section and shall reimburse such costs to each school district in accordance with the following weighting schedule:

(a) Costs attributable to staff experience and professional preparation; and

(b) Costs to state and local funds attributable to the operation of approved educational programs arising as a result of a concentration of culturally disadvantaged students, or as a result of a high degree of transient enrollment;

(c) Costs resulting from the operation of small school plants within districts: PROVIDED, That such plants are judged by the state board of education as remote and necessary;

(d) Costs differentials attributable to the operation of approved elementary and secondary programs;

(e) Costs which must be incurred to operate an approved vocational program;

(f) Costs resulting from the attendance of students who:

(i) Do not reside within the servicing school district: PROVIDED, That nothing within this provision shall be construed as affecting the reimbursement procedures in RCW 28A.44.040;

(ii) Reside in any home or institution devoted to providing a home for dependent or otherwise referred or entrusted children: PROVIDED, Such home or institution is exempt from taxation under the laws of the state of Washington; or

(iii) Constitute at least three percent of the student enrollment within the district and who reside within the servicing district on property of either the state, its political subdivisions, or any municipal corporation.

**NEW SECTION. Sec. 3.** There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

Notwithstanding any other provision of law, parents, guardians or custodians of students in any private school may designate any individual to arrange any interschool transfer and/or the providing of ancillary services under this section for students of private schools located within a school district, and the board of directors of the school district shall recognize such individual for such purpose."

#### POINT OF ORDER

Mr. Ehlers: "I believe that the rule applies about bills still in the House that are the exact subject matter."

Mr. Speaker (Mr. O'Brien presiding): "To which bill are you referring?"

Mr. Ehlers: "House Bill No. 637, I believe."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Ehlers, in respect to your point of order, apparently there are differences to this amendment that exclude it from the rule that you are citing relative to House Bill No. 637. There are some variances there and the amendment is not identical to the bill."

Mr. Ehlers: "Mr. Speaker, could you be a little more precise about what differences?"

The Speaker (Mr. O'Brien presiding): "If you refer to House Bill No. 637, you'll see where the proviso differs. Apparently the intent—take a look at it and compare it."

#### POINT OF ORDER

Mr. Charette: "Mr. Speaker, I raise the question of scope and object. Substitute Senate Bill No. 2811 is an act dealing with public education, and this amendment pertains to private schools. I don't believe that it is within the scope and object of the title as defined."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Charette, your point of order is well taken. Substitute Senate Bill No. 2811 pertains to accounts of members of associated student body programs, and the amendment offers testing related to private schools, and certain other services—health services, and so I am going to rule that the amendment is out of order."

The Clerk read the following amendment by Representative Becker:

On page 2, after line 19 insert the following:

**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 provisions to other persons or circumstances is not affected."

With the consent of the House, Ms. Becker withdrew the amendment.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2811 was placed on final passage.

Representatives Clemente, Charette and Nelson (Gary) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2811, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bender, Erickson, Fancher, Keller, King, Leckenby.

Substitute Senate Bill No. 2811, 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 FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House immediately reconsider the vote by which ENGROSSED SENATE BILL NO. 2159 failed to pass the House.

Mr. Pardini spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Knedlik.

Mr. Knedlik: "Representative Pardini, you said that you are moving for immediate reconsideration, and I wonder if you really mean that or if you are going to play some games with us after you convince us to vote with you on this?"

Mr. Pardini: "Representative Knedlik, any time that I move for reconsideration, I've always stated my purposes very clearly. On a reconsideration vote the other day I said that the purpose was to hold the bill on the calendar for another day. It is my intention to go immediately to reconsideration. There are no games being played on a bill of this magnitude."

Mr. Smith spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Senate Bill No. 2159 failed to pass the House, and the motion was carried by the following vote: Yeas, 50; nays, 41; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Ehlers, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Hawkins, Heck, Hurley M., Lee, Martinis, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Fischer, Gallagher, Grier, Grimm, Gruger, Hanna, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., North, Pearsall, Salatino, Sherman, Smith, Sommers, Vrooman, Walk, Williams.

Not voting: Representatives Adams, Erickson, Fancher, Kreidler, Leckenby, Pruitt, Shinpoch.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Engrossed Senate Bill No. 2159.

Mr. Barnes spoke in favor of passage of the bill, and Representatives Knowles and Hurley (George) spoke against it.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Senate Bill No. 2159, and the bill passed the House by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Ehlers, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Haley, Hansen, Hawkins, Heck, Hurley M., Lee, Martinis, McCormick, Nelson G. A., Newhouse, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Shinoda, Shinpoch, Struthers, Taller, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Fischer, Gallagher, Grier, Grimm, Gruger, Hanna, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., North, Owen, Pearsall, Salatino, Sherman, Smith, Sommers, Vrooman, Walk, Williams.

Not voting: Representatives Adams, Erickson, Fancher, Kreidler, Leckenby, Pruitt.

Engrossed Senate Bill No. 2159, 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. 2185, by Senators McDermott and Gould:

Permitting aliens to teach in the common school system.

The bill was read the second time.



Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Fortson:

On page 1, line 17 after "education" and before "to" strike all material and insert "a temporary permit renewable annually upon request of the school district"

Representatives Barnes and Fortson spoke in favor of the amendment, and Mr. Clemente spoke against it.

Mr. Barnes spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Barnes and Fortson to Engrossed Senate Bill No. 2185, and the amendment was not adopted by the following vote: Yeas, 34; nays, 56; not voting, 8.

Voting yea: Representatives Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Dunlap, Flanagan, Fortson, Gilleland, Greengo, Grimm, Gruger, Hansen, Hurley M., Kilbury, Lee, Martinis, Maxie, Nelson G. A., Newhouse, North, Paris, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Walk, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fuller, Gaines, Gallagher, Grier, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knowles, Kreidler, Lux, Lysen, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Oliver, Owen, Pardini, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Teller, Thompson, Valle, Vrooman, Warnke, Whiteside, Williams.

Not voting: Representatives Adams, Barnes, Erickson, Fancher, Haley, Knedlik, Leckenby, and Mr. Speaker.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Fortson:

On page 1, line 23 after "teach" and before "in" strike the balance of the paragraph.

Mr. Barnes spoke in favor of the amendment.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Fortson:

On page 1, line 23 after "state" insert "if requested by the employing school district"

Mr. Barnes spoke in favor of the amendment.

The amendment was not adopted.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day ex. sess., May 6, 1977.)

Mr. Clemente moved adoption of the committee amendment, and spoke in favor of it.

#### POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Amen.

Mr. Amen: "This is a very short bill now. All it does is strike 28A.67.020 and insert 28A.67.030. What is the difference between those two? It says any person teaching school in violation of RCW 28A.67.020, and now it says, '... shall be guilty of a misdemeanor', and it strikes and says, '28A.67.030'. What is the difference between those two RCW's?"

Mr. Clemente: "That is our present RCW. The .020 is the alien teacher law, I believe. And it simply strikes—"

Mr. Amen: "Then what is the .030? That is what I'm asking about."

Mr. Clemente: "Those are the present laws that pertain to teachers."

Representatives Barnes and Fortson spoke against the committee amendment, and Representatives Douthwaite, Charnley and Heck spoke in favor of it.

The committee amendment was adopted.

On motion of Mr. Clemente, the committee amendment to the title was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2185 as amended by the House was placed on final passage.

Representatives Clemente and Eng spoke in favor of passage of the bill, and Representatives Barnes, Boldt and Fortson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2185 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 28; not voting, 11.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Burns, Chandler, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fuller, Gaines, Gallagher, Grier, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., O'Brien, Owen, Pardini, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Boldt, Bond, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fortson, Gilleland, Greengo, Grimm, Hansen, Hurley M., Lee, Newhouse, North, Oliver, Paris, Patterson, Polk, Schmitten, Struthers, Tilly, Walk.

Not voting: Representatives Adams, Conner, Erickson, Fancher, Haley, Leckenby, McKibbin, Nelson G. A., Smith, Williams, Wilson.

Engrossed Senate Bill No. 2185 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. King, the House adjourned until 9:30 a.m., Friday, May 27, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 27, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk and Vrooman. Representatives Barnes, Fancher, Leckenby and Polk were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Good and Carl Erickson. Prayer was offered by Reverend Glen Cole of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

May 26, 1977

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 24,  
 SUBSTITUTE HOUSE BILL NO. 165,  
 HOUSE BILL NO. 313,  
 SUBSTITUTE HOUSE BILL NO. 395,  
 HOUSE BILL NO. 444,  
 HOUSE BILL NO. 753,  
 SUBSTITUTE HOUSE BILL NO. 873,  
 HOUSE BILL NO. 921,  
 HOUSE BILL NO. 1229,  
 SENATE BILL NO. 2061,  
 SUBSTITUTE SENATE BILL NO. 2082,  
 SUBSTITUTE SENATE BILL NO. 2107,  
 SENATE BILL NO. 2156,  
 SUBSTITUTE SENATE BILL NO. 2383,  
 SENATE BILL NO. 2426.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 26, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2061, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 26, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2107, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 26, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2156, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

May 26, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2383, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 26, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to REENGROSSED SENATE BILL NO. 2426, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 26, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2451, and the President has appointed as Senate conferees: Senators Rasmussen, Marsh, Morrison.

Bill Gleason, Assistant Secretary.

May 26, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3002, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 26, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 228,  
ENGROSSED HOUSE BILL NO. 389,  
HOUSE BILL NO. 583,  
ENGROSSED HOUSE BILL NO. 617,  
ENGROSSED HOUSE BILL NO. 618,  
SUBSTITUTE HOUSE BILL NO. 678,  
HOUSE BILL NO. 779,  
SENATE JOINT MEMORIAL NO. 111,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SENATE JOINT MEMORIAL NO. 111, by Senators Gaspard, Benitz, Donohue, Morrison, Washington and Bottiger:

Memorializing Congress to investigate the miscalculation by the Bureau of Reclamation in predicting a water shortage.

To Committee on Agriculture.

## REPORTS OF STANDING COMMITTEES

May 25, 1977

HOUSE BILL NO. 853, Prime Sponsor: Representative Gaines, creating a new liquor board with shorter terms of office. Reported by Committee on State Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Erak, Nelson (Gary), O'Brien, Salatino.

MINORITY recommendation: Second Substitute House Bill No. 853 do not pass. Signed by Representatives Taller, Ranking Minority Member; Burns, Sanders, Sommers, Struthers.

## POINT OF ORDER

Mr. Taller: "Mr. Chairman, I believe this particular bill is beyond our cut-off resolution, Senate Concurrent Resolution No. 121. On page 1, line 30 it talks about government reform and on page 2, reorganization matters. I believe that when you look at the definition of reorganization and organize (it talks about 'to organize again or renew') this bill only affects the term of office of the Liquor Board and I believe that it was the intent of this body at the time

we passed the resolution to talk about total reorganization or changing an agency, not simple modification."

The Speaker (Mr. O'Brien presiding): "What is your point of order? What question do you want to raise?"

Mr. Taller: "I don't believe that it is proper for the bill to be reported out of committee."

The Speaker (Mr. O'Brien presiding): "In reviewing the cut-off resolution, Senate Concurrent Resolution No. 121, it states in part as follows: 'The following matters are exempt from the cut-off resolution: Bills pertaining to governmental reform and reorganization measures.' This bill could well come under the category of governmental reform and reorganization, both categories."

#### MOTION

Mr. Taller moved that House Bill No. 853 be rereferred to Committee on State Government.

Mr. Taller spoke in favor of the motion, and Mr. Ehlers spoke against it.

Mr. Berentson rose to speak to the issue.

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker is going to read to you House Rule 25. It states in part: 'Upon being reported back by committee, all bills shall go to the Rules Committee.' Actually Representative Taller's motion requires a suspension of the rules. The Speaker allowed one speaker to speak for the issue and one to speak against it. What I'm saying is bills reported back by committee go to the Rules Committee, unless the rules are suspended."

Mr. Berentson: "What you're saying then is that a suspension of the rules would be required in your opinion, and the vote we are taking now on the motion to rerefer would require a suspension of the rules before it is open to debate?"

The Speaker (Mr. O'Brien presiding): "That is right, Representative Berentson."

Mr. Tilly demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 853 to Committee on State Government, and the motion was lost by the following vote: Yeas, 37; nays, 51; not voting, 10.

Voting yea: Representatives Amen, Barr, Bender, Berentson, Blair, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Lux, Nelson D., Newhouse, Oliver, Paris, Patterson, Pearsall, Pruitt, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Boldt, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erak, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Owen, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Nelson G. A., Pardini, Polk, Vrooman, Winsley.

To Committee on Rules for second reading.

May 25, 1977

HOUSE BILL NO. 980, Prime Sponsor: Representative Conner, relating to marine transportation. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clemente, Dunlap, Gallagher, Lysen, Martinis, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 25, 1977

HOUSE BILL NO. 1106, Prime Sponsor: Representative Sommers, relating to revenue and taxation. Reported by Committee on Revenue.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), O'Brien.

To Committee on Rules for second reading.

May 25, 1977

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2376,** Prime Sponsor: Senator Beck, providing that highway and ferry bonds which are authorized and which pledge motor vehicle excise taxes for the payment of principal and interest thereon shall be an equal charge against the revenues of such motor vehicle fuel excise taxes. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, after line 25 insert the following:

"The proceeds from the sale of bonds in any biennium for the purposes specified in this section shall first be available to meet the expenditure obligations arising out of contracts awarded in a prior biennium. Any additional proceeds from the sale of such bonds shall be expended only for such new projects contained in the commission's biennial construction budget which are necessary for the completion of usable segments of highway or are of a critical or emergent nature. The aggregate sum of funds to be provided under this section in all bienniums collectively shall not exceed thirty million dollars."

On page 2, line 3 after "commission" and before the period insert "after consultation with the legislative transportation committee and the transportation committees of the house and senate"

On page 2, line 18 after "vehicle" insert "and special"

On page 2, line 20 after "vehicle" insert "and special"

Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Clayton, Clemente, Gallagher, Martinis, Paris, Patterson, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 25, 1977

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2522,** Prime Sponsor: Senator Henry, relating to transportation taxation. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass. Signed by Representatives Conner, Chairman; Gilleland, Ranking Minority Member; Bender, Berentson, Burns, Charnley, Clemente, Dunlap, Gallagher, Lysen, Martinis, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

May 25, 1977

**SUBSTITUTE SENATE BILL NO. 2525,** Prime Sponsor: Senator Henry, making changes in the laws relating to transportation committees and authorizing studies. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. The legislative transportation committee is authorized to conduct the following studies and activities and such other related studies and activities as it deems appropriate, may employ consultants, and shall report findings and recommendations, as appropriate, to the legislature during or prior to the 1979 regular legislative session:

(1) Review local, state, and national needs studies, for the purpose of evaluating the consolidation of such needs studies;

(2) Evaluate the method of collection and administration of special fuel taxes to include, but not be limited to, economies in administration of the tax and evasion of such fuel taxes;

(3) Continue reviewing the interrelationship of state and federal laws and regulations with respect to administering federal programs within the state, including but not limited to, laws affecting right of way and environmental protection, considering alternatives of decentralization of administration and supervision to the state;

(4) Evaluate the Washington state highway cost allocation study and other related literature to determine alterations to the present transportation taxation structure which may improve equity among the various classes of vehicles and users;

(5) Conduct a review of current maritime regulation including, but not limited to:

(a) The interrelationship of federal and state maritime safety regulations;

(b) Safety procedures for handling hazardous cargoes;

(c) Possible sources of funding for waterway safety improvements;

(d) Current laws regarding vessel accident liability;

(6) In cooperation with the Washington state highway commission, conduct a needs study for a highway crossing the Saddle mountains between Royal City and the Wahluke slope;

(7) In cooperation with the highway commission, evaluate the need to upgrade state route 17, from a junction with state route 97 near Chief Joseph Dam to its southern terminus near Eltopia; such study shall determine the feasibility of improving the alignment so as to make state route 17 the principal north-south corridor through central Washington;

(8) Evaluate the cost impact of granting reciprocity to motor vehicles registered in other states until the expiration of the current registration period;

(9) In cooperation with the utilities and transportation commission, review the regulation of auto transportation companies with particular attention to assigned certificated routes which are not currently being served;

(10) Develop policies, procedures, and criteria to be used by the legislature to determine relative priorities for use of state motor vehicle fund revenues by state agencies, counties, and cities, including development of alternative methods of financing activities of the Washington state patrol which are currently appropriated from the motor vehicle fund;

(11) Evaluate operations of the Washington state ferry system including toll structure, scheduling practices, vessel acquisition, and terminal facilities, to promote more efficient utilization of state ferry vessels;

(12) Evaluate the desirability and feasibility of developing a state-wide transportation marketing plan. The evaluation shall consider, but not be limited to, the desirability of publishing a state transportation guide, coordination between public and private transit operations, the role of the state in implementing such a plan, and case studies of marketing techniques which can be undertaken by large and small public and private transit operators;

(13) Examine alternative methods of reducing traffic congestion, including participation in demonstration projects to increase vehicle occupancy, and/or to stagger working hours, for the public in general and of state employees in particular;

(14) Perform an analysis of statutes that must be amended or repealed, and the identification and definition of revenue sources that may be varied in order to achieve uniformity with other member states and ensure equity of prevailing transportation rates as the result of implementation of the international registration plan;

(15) Continue research into the most feasible economic means to provide convenient and reliable single-stop service for permit issuance to intrastate and interstate commercial vehicles;

(16) Determine the most effective means to coordinate and implement state-wide bicycle safety instruction from among the various programs of federal, state, and local agencies, and interested professional and citizen's groups;

(17) Determine the need for realignment of state route 20 between Sedro Wooley and state route 5. Such study shall include route selection and cost analysis of various alternatives. The results of said study shall be reported to the legislature by January 30, 1978;

(18) Review statutes related to transportation and make recommendations for the rewrite of certain statutes or the repeal of obsolete or temporary provisions;

(19) Perform a comprehensive study to determine the feasibility of submitting and appropriating future highway commission capital budgets on the basis of total contract costs (obligations), as opposed to the current practice of budgeting expenditures for only one biennium;

(20) Evaluate the statutory route designation of state route 20 between Okanogan and Tonasket;

(21) Review state involvement in aviation including:

(a) The taxation structure for commercial and third-level air carriers, and for general aviation;

(b) The need for third-level air carrier regulations including route certification, service levels, and fair standardization;

(c) The availability of adequate funding for necessary local airport improvements; and

(d) The need for a policy by which the aeronautics commission, or the department of transportation if it is created, can prevent the construction of or remove structures which pose a hazard to the flight of aircraft;

(22) Continue to develop policies and guidelines for biennial state highway commission review of highways with respect to whether sections should be added to or deleted from the state highway system; said study shall include reevaluation of all designated routes, whether or not constructed with recommendations on specific routes whose statutory designation as state routes should be reaffirmed;

(23) Study the size and weight laws of commercial vehicles of this state and other western states with the view toward achieving uniformity where the best interest of our state would be served;

(24) Perform a study to determine the feasibility and cost effectiveness of asphalt-rubber membranes for application in highway construction;

(25) Determine the need for realignment and/or upgrading of state route 530 between Arlington and Darrington;

(26) Determine the need for improvements to state route 509 in view of increased marine vessel activity at the Port of Tacoma;

(27) Review driver licensing procedures within the department of motor vehicles including, but not limited to:

(a) The present lack of the use of the point system and the establishment of the new system;

(b) The effectiveness of methods of current practices for license suspension or removal and subsequent driver rehabilitation program;

(c) Changes that have occurred in the past several years making it difficult (through courts or legislation) to administer restrictive programs or penalties;

(d) Maintenance of accident records and release of those records to insurance companies;

(28) Survey court decisions within the state of Washington relating to motor vehicle laws, including:

(a) The concurrence or disregard of present motor vehicle laws, especially mandatory laws by the counties;

(b) A study of the other decisions affecting the drinking driver laws, including juvenile court practices and decisions affecting young drivers;

(29) Review current state and federal standards on motor vehicle equipment and motor vehicle modifications and make recommendations for changes which will promote highway safety;

(30) Review existing environmental legislation which affects the construction of public works projects to formulate effective alternative relief for the enforcement of such laws other than the use of temporary or permanent injunctions or other stays which result in the delay of such projects. The study shall further consider effective means of recovering losses sustained by taxpayers as the result of construction delays caused by imprudently granted injunctions or stays;

(31) Review, in cooperation with Metro, other public transit agencies in the state of Washington, and the urban mass transportation administration methods of improving public transit through value capture financing;

(32) Continue review of the statutes relating to regulation of common carriers, and an examination of whether the public interest is being best served through such regulation;

(33) Review, in cooperation with the department of highways, the statutes relating to outdoor advertising, and examine existing public policy relating to scenic and recreational highways;

(34) Examine the need for advertising on school bus shelters as a means of paying the cost of such shelters;

(35) Participate, in cooperation with the state department of transportation, if one is created, in the rail studies authorized by the Amtrak improvement act of 1974 and the railroad revitalization and regulatory reform act of 1976;

(36) Examine, in cooperation with public transit agencies of the state, a coordinated method of funding public transit systems;

(37) Undertake a pilot project of the effectiveness of a bus service to the East Olympia railroad station. The study shall examine the effect on railroad ridership of having bus service available for Olympia patrons;

(38) A study of the use of jitneys or vanpools, particularly in rural areas, as a means of complementing public transit systems;

(39) Conduct a comparison cost-benefit study on means of reducing vehicle noise levels by (a) vehicle emission controls and (b) the construction of noise attenuation devices or structures at roadside. The study shall consider four representative sites on state highways, including one on state route 405 in the vicinity of Norwood Village. In developing the cost and effectiveness of vehicle emission controls, the committee shall use any prior studies so as to avoid duplication of effort;

(40) Study the feasibility of improving intercity rail passenger and connecting bus service. The committee may enter into contracts for the purpose of providing connecting bus service to selected train depots and such other services which are deemed to be useful in preparing the feasibility study;

(41) Review the quality of landscaping adjacent to state highways as well as the role of the landscape architect in highway planning, in cooperation with the state department of transportation, if one is created;

(42) Examine the need for the state to encourage broader utilization of the metric system on signs along the state highway system;

(43) Review in cooperation with the department of highways and, if deemed appropriate, develop revisions of the existing priority programming laws now codified in chapter 47.05 RCW which will assure that in the long and short term allocation of available construction funds adequate consideration is given to the lack of feasible alternative modes of transportation to the private automobile within many of the rural, suburban, and small urban areas of the state.

**NEW SECTION.** Sec. 2. The following studies shall be undertaken with the concurrence of the legislative transportation committee:

(1) The Washington state highway commission is hereby authorized to prioritize the needs among, and provide for the installation of, emergency traffic control devices at rural fire district stations in consultation with the legislative transportation committee and the house and senate transportation committees. In developing the priorities for funding such control devices, the commission shall consider the recommendations of the county road administration board, the traffic safety commission, and the Washington fire commissioners.

(2) The Washington state highway commission is hereby directed to conduct a study of the potential need for and the engineering, social, economic, environmental, and financial feasibility of a third bridge across the Columbia river between Clark county, Washington, and Oregon.

Said study shall include forecasts and analyses of regional population growth trends as well as traffic growth trends. It shall further evaluate the feasibility of various potential locations for such a bridge, and its potential as a corridor for public transportation.

The highway commission and the department of highways shall make every effort to obtain the cooperation of the Oregon transportation commission, the Oregon department of transportation, and the Columbia region association of governments in conducting said study.



The final study results shall be reported to the forty-sixth legislature in January, 1979; periodic progress reports shall be made to the legislative transportation committee and the house and senate transportation committees at their request.

(3) The Washington state highway commission is hereby directed to conduct a feasibility study of the construction of a toll bridge across the Columbia river in the vicinity of the northern part of Richland so as to permit a highway connection between state route 240 and federal aid interstate 182 near Pasco.

The study shall be conducted in conjunction with the Tri-Cities metropolitan area transportation study and will utilize traffic projections based upon the latest population and employment data update scheduled for completion by June, 1977.

A report shall be submitted to the legislative transportation committee and the house and senate transportation committees by January 1, 1979.

(4) The Washington state highway commission is authorized and directed to conduct a study of the need to construct a bypass of the Woodinville community on state route 202 near Northeast 190th and Northeast 195th in King county.

The commission is directed to complete the study and submit its findings to the legislature on or before December 31, 1978.

NEW SECTION. Sec. 3. The planning and community affairs agency, or the state department of transportation, if one is created, is hereby authorized and directed to prepare a market analysis on the feasibility of extending passenger service within and beyond the boundaries of the state and of the desirability of entering into a contract with the national railroad passenger corporation for such extended service. The agency or department shall submit the feasibility analysis to the national railroad passenger corporation by October 15, 1977, and report to the 1978 session of the legislature its recommendations for further action.

Sec. 4. Section 7, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.070 are each amended to read as follows:

The county road administration board shall:

(1) Establish by regulation, standards of good practice for county road administration.  
(2) Establish reporting requirements for counties with respect to the standards of good practice adopted by the board.

(3) Receive and review reports from counties and reports of the county road administration engineer to determine compliance with legislative directives and the standards of good practice adopted by the board.

(4) Report annually on the first day of July to the state highway commission (~~and the joint committee on highways~~), the legislative transportation committee, and the house and senate transportation committees on the status of county road administration in each county. The annual report shall contain recommendations for improving administration of the county road programs.

Sec. 5. Section 36, chapter 3, Laws of 1963 ex. sess. as amended by section 1, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.020 are each amended to read as follows:

The committee is authorized and directed to continue its studies and for that purpose shall have the powers set forth in chapter 111, Laws of 1947. The committee is further authorized to make studies related to bills assigned to the house and senate transportation (~~and utilities~~) committees and such other studies as provided by law. The executive committee of the committee may assign responsibility for all or part of the conduct of studies to the house and/or senate transportation (~~and utilities~~) committees.

Sec. 6. Section 2, chapter 195, Laws of 1971 ex. sess. as amended by section 19, chapter 293, Laws of 1975 1st ex. sess. and RCW 44.40.025 are each amended to read as follows:

In addition to the powers and duties authorized in RCW 44.40.020 the committee(~~;~~) and the standing committees on ((ways and means and on) transportation ((and utilities)) of the house and senate shall, in coordination with the legislative budget committee, the senate ways and means committee, the house committee on revenue, and the house committee on appropriations, ascertain, study, and/or analyze all available facts and matters relating or pertaining to sources of revenue, appropriations, expenditures, and financial condition of the motor vehicle fund and accounts thereof, the highway safety fund, and all other funds or accounts related to transportation programs of the state.

Sec. 7. Section 38, chapter 3, Laws of 1963 ex. sess. as amended by section 3, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.030 are each amended to read as follows:

In addition to the powers and duties heretofore conferred upon it, the legislative transportation committee (~~is further authorized and directed to~~) may participate in: (1) The activities of committees of the council of state governments concerned with transportation activities; (2) (~~the~~) activities of the national committee on uniform traffic laws and ordinances; (~~and~~) (3) (~~the~~) any interstate reciprocity or proration meetings designated by the Washington reciprocity commission; and (4) such other organizations as it deems necessary and appropriate.

Sec. 8. Section 39, chapter 3, Laws of 1963 ex. sess. as last amended by section 3, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.040 are each amended to read as follows:

The members of the legislative transportation committee and the house and senate transportation (~~and utilities~~) committees shall receive allowances while attending meetings of the committees or subcommittees and while engaged in other authorized business of the committees as provided in RCW 44.04.120 as now or hereafter amended. All expenses incurred by the committee, and the house and senate transportation (~~and utilities~~) committees, including salaries of employees of the legislative transportation committee, shall be paid upon voucher forms as provided by the office of program planning and fiscal management and signed by the chairman or vice chairman or authorized designee of the chairman of the committee, and the authority

of said chairman or vice chairman to sign vouchers shall continue until their successors are selected. Vouchers may be drawn upon funds appropriated for the expenses of the committee.

Sec. 9. Section 1, chapter 201, Laws of 1973 1st ex. sess. and RCW 44.40.070 are each amended to read as follows:

Prior to October 1 of each even-numbered year all state agencies whose major programs consist of transportation activities, including the state highway commission, the toll bridge authority, the urban arterial board, the Washington state patrol, the department of motor vehicles, the traffic safety commission, the county road administration board, and the aeronautics commission, shall adopt or revise after consultation with the legislative transportation committee, and/or senate and house transportation ((and utilities)) committees, a long range plan of not less than six years and a comprehensive six-year program and financial plan for all transportation activities under each agency's jurisdiction.

The long range plan shall state the general objectives and needs of each agency's major transportation programs.

The comprehensive six-year program and financial plan shall be prepared in consonance with the long range plan and shall identify that portion of the long range plan to be accomplished within the succeeding six-year period.

Sec. 10. Section 2, chapter 210, Laws of 1973 1st ex. sess. and RCW 44.40.090 are each amended to read as follows:

Powers and duties enumerated by this chapter shall be delegated to the senate and house transportation ((and utilities)) committees during periods when the legislative transportation committee is not appointed.

Sec. 11. Section 3, chapter 210, Laws of 1973 1st ex. sess. as amended by section 7, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.100 are each amended to read as follows:

The legislative transportation committee and/or the senate and house transportation ((and utilities)) committees may enter into contracts on behalf of the state to carry out the purposes of ((this 1975 act [1975 1st ex. s. c 268] and) chapter 44.40 RCW as amended; and it or they may act for the state in the initiation of or participation in any multigovernmental program relative to transportation planning or programming; and it or they may enter into contracts to receive federal or other funds, grants, or gifts to carry out said purposes and to be used in preference to or in combination with state funds. When federal or other funds are received, they shall be deposited with the state treasurer and thereafter expended only upon approval by the committee or committees.

Sec. 12. Section 2, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.120 are each amended to read as follows:

The house and senate transportation ((and utilities)) committees shall periodically review the six-year comprehensive plans submitted by cities and counties for expenditures for bicycle, pedestrian, and equestrian facilities prepared pursuant to ((chapter 215 (Senate Bill No. 2348), Laws of 1975 1st ex. sess)) RCW 35.77.010 and 36.81.121.

Sec. 13. Section 47.01.220, chapter 13, Laws of 1961 as amended by section 3, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.01.220 are each amended to read as follows:

The state highway commission shall report to the legislature through the legislative transportation committee and senate and house transportation ((and utilities)) committees on the highway needs of the state.

Sec. 14. Section 1, chapter 167, Laws of 1965 ex. sess. and RCW 47.02.010 are each amended to read as follows:

The Washington state highway commission is authorized in accordance with the provisions of this chapter and RCW 79.24.500 through 79.24.600 to provide for the acquisition of land and the construction of buildings, laboratories and facilities on the east capitol site for the use of the Washington state highway commission and the department of highways and to finance payment thereof by bonds payable out of special funds from the proceeds of state excise taxes on motor vehicle fuels, or by gifts, bequests or grants or by such additional funds as the legislature may provide. ((Before start of construction the plans shall be submitted to the state capitol committee for approval and to the joint committee on highways for its advice.))

Sec. 15. Section 4, chapter 173, Laws of 1963 as last amended by section 3, chapter 143, Laws of 1975 1st ex. sess. and RCW 47.05.040 are each amended to read as follows:

(1) Prior to October 1 of each even-numbered year, the state highway commission shall adopt and thereafter shall biennially revise after consultation with the legislative transportation committee and senate and house transportation ((and utilities)) committees a comprehensive six year program and financial plan for highway construction, maintenance, and planning activities.

(2) The highway construction program for the ensuing six years shall allocate to category A improvements as a whole, and then to each of the five functional classes of state highways, that percentage of the estimated available construction funds as will be necessary to accomplish the commission's long range plan for highway improvements. The commission shall then apportion the available category A construction funds, according to functional class, among the several highway districts in the proportion that the estimated remaining category A improvement needs for each functional class of highway within each highway district bears to the total of such estimated needs for each functional class remaining unsatisfied throughout the state.

(3) The commission shall allocate to category B improvements for the ensuing six years, the estimated available federal aid interstate funds and state matching funds as necessary to accomplish the commission's long range plan for category B highway improvements throughout the state.

(4) The commission shall allocate to category C improvements for the ensuing six years; the remaining estimated available construction funds to accomplish to the extent possible the commission's long range plan for category C highway improvements throughout the state.

Sec. 16. Section 171, chapter 51, Laws of 1970 ex. sess. as amended by section 26, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.850 are each amended to read as follows:

A state highway to be known as state route number 906 is established as follows:

Beginning at a junction with state route number 90 at the West Summit interchange of Snoqualmie Pass, thence along the alignment of the state route number 90 as it existed on May 11, 1967 in a southeasterly direction to a junction with state route number 90 at the Hyak interchange.

The (joint committee on highways) legislative transportation committee, the house and senate transportation committees, and the Washington state highway commission shall undertake appropriate studies to evaluate state route number 906 to determine whether or not it should permanently remain on the state system.

Sec. 17. Section 22, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.160 are each amended to read as follows:

The urban arterial board shall:

(1) Adopt rules and regulations necessary to implement the provisions of this chapter relating to the allocation of funds in the urban arterial trust account of the motor vehicle fund to counties and cities.

(2) Adopt reasonably uniform design standards for city and county arterials which meet the requirements for urban development.

(3) Report biennially on the first day of November of the even-numbered years to the state highway commission (~~and the joint committee on highways~~), the legislative transportation committee, and the house and senate transportation committees regarding progress of cities and counties in developing long range plans for their urban arterial construction and programming or urban arterial construction work and the allocation of urban arterial trust funds to the cities and counties.

NEW SECTION. Sec. 18. There is hereby appropriated from the aeronautics account of the general fund to the legislative transportation committee, for the biennium ending June 30, 1979, the sum of five thousand dollars, or so much thereof as may be necessary, to carry out the provisions of section 1(20) of this 1977 amendatory act.

NEW SECTION. Sec. 19. The following acts or parts of acts are each hereby repealed effective June 30, 1977:

(1) Section 4, chapter 210, Laws of 1973 1st ex. sess., section 1, chapter 2, Laws of 1975, section 8, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.110;

(2) Section 5, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.125;

(3) Section 6, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.130;

(4) Section 57, chapter 281, Laws of 1969 ex. sess. and RCW 47.16.220;

(5) Section 2, chapter 267, Laws of 1975 1st ex. sess. and RCW 47.20.662;

(6) Section 1, chapter 149, Laws of 1971 ex. sess. and RCW 47.60.510; and

(7) Section 2, chapter 149, Laws of 1971 ex. sess. and RCW 47.60.520.

NEW SECTION. Sec. 20. This 1977 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, on line 1 of the title after "transportation;" strike the remainder of the title and insert "amending section 36, chapter 3, Laws of 1963 ex. sess. as amended by section 1, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.020; amending section 2, chapter 195, Laws of 1971 ex. sess. as amended by section 19, chapter 293, Laws of 1975 1st ex. sess. and RCW 44.40.025; amending section 38, chapter 3, Laws of 1963 ex. sess. as amended by section 3, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.030; amending section 39, chapter 3, Laws of 1963 ex. sess. as last amended by section 3, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.040; amending section 1, chapter 201, Laws of 1973 1st ex. sess. and RCW 44.40.070; amending section 2, chapter 210, Laws of 1973 1st ex. sess. and RCW 44.40.090; amending section 3, chapter 210, Laws of 1973 1st ex. sess. as amended by section 7, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.100; amending section 2, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.120; amending section 47.01.220, chapter 13, Laws of 1961 as amended by section 3, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.01.220; amending section 7, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.070; amending section 1, chapter 167, Laws of 1965 ex. sess. and RCW 47.02.010; amending section 4, chapter 173, Laws of 1963 as last amended by section 3, chapter 143, Laws of 1975 1st ex. sess. and RCW 47.05.040; amending section 171, chapter 51, Laws of 1970 ex. sess. as amended by section 26, chapter 73, Laws of 1971 ex. sess. and RCW 47.17.850; amending section 22, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.160; creating new sections; repealing section 4, chapter 210, Laws of 1973 1st ex. sess., section 1, chapter 2, Laws of 1975, section 8, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.110; repealing section 5, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.125; repealing section 6, chapter 268, Laws of 1975 1st ex. sess. and RCW 44.40.130; repealing section 57, chapter 281, Laws of 1969 ex. sess. and RCW 47.16.220; repealing section 2, chapter 267, Laws of 1975 1st ex. sess. and RCW 47.20.662; repealing section 1, chapter 149, Laws of 1971 ex. sess. and RCW 47.60.510; repealing section 2, chapter 149, Laws of 1971 ex. sess. and RCW 47.60.520; making an appropriation; and declaring an emergency."

Signed by Representatives Conner, Chairman; Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Bender, Burns, Charnley, Gallagher, Lysen, Martinis, Paris, Sherman, Wilson.

To Committee on Rules for second reading.

May 25, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, Prime Sponsor: Senator Goltz, revising laws on ethics and disclosure. Reported by Committee on Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

- On page 4, line 36 strike "the" and insert "that contributor's"
- On page 5, line 2 strike "the" and insert "that candidate's election"
- On page 5, line 17 strike "with the department of motor vehicles"
- On page 5, line 23 after "future" insert "election"
- On page 5, line 25 after "nonreimbursed" insert "public"
- On page 5, line 26 strike "reported" and insert "report any such disposition"
- On page 7, line 5 after "permissible" insert "public"
- On page 7, line 5 strike "shall" and insert "may only"
- On page 7, line 7 strike "the" and insert "that contributor's"
- On page 7, beginning on line 9 strike "with the department of motor vehicles"
- On page 7, line 15 strike "Campaign contributions" and insert "Contributions received and reported in accordance with RCW 42.17.060 through 42.17.090"
- On page 7, line 28 after "out-of-pocket" insert "election"
- On page 7, line 29 strike "postcampaign" and insert "postelection campaign"
- On page 7, beginning on line 29 after "candidate." strike "In order for the candidate to" and insert "To"
- On page 7, line 31 strike "he must" and insert "the candidate shall"
- On page 7, line 36 strike "provided such repayment is" and insert ", which repayment shall be"
- On page 8, beginning on line 2 strike all of section 7 and renumber the remaining section consecutively.

Signed by Representatives Hawkins, Chairman; Nelson (Dick), Vice Chairman; Fuller, Ranking Minority Member; Barnes, Blair, Heck, Hughes.

#### MOTIONS

On motion of Mr. Bender, the rules were suspended, and Engrossed Substitute Senate Bill No. 2877 was placed on second reading and read the second time in full.

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 2877 was deferred, and the bill was ordered placed on the second reading calendar following Engrossed Substitute Senate Bill No. 2873.

Mr. Bender 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 Barnes, Enbody, Erickson, Fancher, Leckenby, Polk and Vrooman.

#### MOTION

On motion of Mr. Bender, the absent members were excused and the House proceeded with business under the Call of the House.

#### SENATE AMENDMENT TO HOUSE BILL

May 25, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 150 with the following amendment:

On page 1, line 24 after "maintenance" and before "shall" strike ", performed by private contractors" and insert "when performed by contract" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendment to Engrossed House Bill No. 150.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 150 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 150 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, North.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk, Vrooman.

Engrossed House Bill No. 150 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

May 25, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 470 with the following amendment:

On page 2, line 4 after "instruction" insert ": PROVIDED FURTHER, That the task force in each district shall be appointed by the school board in each district from residents of the district, and that no less than sixty percent of the members thereof shall be public members not employed by the school districts" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Clemente, the House concurred in the Senate amendment to Substitute House Bill No. 470.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 470 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 470 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk, Vrooman.

Substitute House Bill No. 470 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. Shinoda moved that the House dispense with further business under the Call of the House, and a division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House dispense with further business under the Call of the House, and the motion was lost by the following vote: Yeas, 25; nays, 66; not voting, 7.

Voting yea: Representatives Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fuller, Gilleland, Greengo, Lee, Nelson G.A., Oliver, Pardini, Paris, Patterson, Sanders, Schmitt, Shinoda, Struthers, Tally, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G.S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk, Vrooman.

Representative Vrooman appeared at the bar of the House.

## SENATE AMENDMENTS TO HOUSE BILL

May 25, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 559 with the following amendments:

On page 1, strike all of section 1 and insert the following:

\*Section 1. Section 1, chapter 6, Laws of 1977 and section 34, chapter ... (ESB 2133), Laws of 1977 and RCW 41.05.020 are each reenacted and amended to read as follows:

(1) There is hereby created a state employees' insurance board to be composed as follows: The governor or (his) the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The senate and house members of the board shall serve in ex officio capacity only. All appointments shall be made effective immediately. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative member shall be for three years. The first meeting of the board shall be held as soon as possible thereafter at the call of the director of personnel. The board shall prescribe rules for the conduct of its business and shall elect a chairman and vice chairman at its first meeting and annually thereafter. Members of the board shall receive no compensation for their services, but shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, and legislative members shall receive allowances provided for in RCW 44.04.120.

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for state employees, employees of county, municipal, or other political subdivisions of the state, and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, or protection applying to employees covered by RCW 28B.10.660 and 48.24.010 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time review and amend such plans. Contracts for all plans shall be rebid and awarded at least every five years.

(3) The board shall develop and provide employee health care benefit plans; at least one plan will provide major medical benefits as its primary feature, at least one plan will provide basic first-dollar benefits as its primary feature plus major medical, either or all of which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and another plan to be provided by a panel medicine plan in its service area only when approved by the board. Except for panel medicine plans, no more than one insurance carrier or health care

service contractor shall be contracted with to provide the same plan of benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board: PROVIDED FURTHER, That employees of the institutions of higher education shall be retained as a separate actuarial and experience group."

On line 2 of the title, strike "section 1, chapter ... (HB 173)" and insert "and amending section 1, chapter 6, Laws of 1977 and section 34, chapter ... (ESB 2133)" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Engrossed House Bill No. 559.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 559 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 559 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk.

Engrossed House Bill No. 559 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

May 25, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 798 with the following amendment:

On page 2, line 19 after "to" strike "~~(sex discrimination))~~" and insert "sex discrimination or" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendment to Substitute House Bill No. 798.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 798 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 798 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Clayton, Craswell, Nelson D., Newhouse, Pruitt.

Not voting: Representatives Barnes, Embody, Erickson, Fancher, Leckenby, Polk.

Substitute House Bill No. 798 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 25, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1133 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

\*Section 1, Section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020 are each amended to read as follows:

(1) '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 or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

(2) '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, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee 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, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(3) 'Bona fide charitable or nonprofit organization' means: (a) 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, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. 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, floods, and other national calamities and to devise and carry on measures for preventing the same. 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 for the purposes of this section.

Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) 'Commercial stimulant'. An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) 'Commission' means the Washington state gambling commission created in RCW 9.46.040.



((66)) (7) '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.

((77)) (8) 'Fishing derby' means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

((88)) (9) 'Gambling' means 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 fishing derbies as defined by this chapter, 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. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection ((+3)) (14) of this section shall not constitute gambling.

((99)) (10) 'Gambling device' means: (a) Any device or mechanism 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 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. 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, 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 a mechanism or a chute for dispensing coins or a facsimile thereof, and 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: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

((+0)) (11) '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 or commercial radio and television stations licensed by the federal communications commission.

((+1)) (12) '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.

((+2)) (13) '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.

((+3)) (14) 'Lottery' means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute 'valuable consideration' as an element of a lottery:

- (a) Listening to or watching a television or radio program or subscribing to a cable television service;
- (b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;
- (c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;
- (d) Visitation to any business establishment to obtain a coupon, or entry blank;
- (e) Mere registration without purchase of goods or services;
- (f) Expenditure of time, thought, attention and energy in perusing promotional material;
- (g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;
- (h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof: PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year

and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet; or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) 'Member'. As used in this chapter, member means a member of an organization eligible to be licensed by the commission under this chapter, or a member of an organization which is an auxiliary of such an eligible organization, or a member of an organization of which the eligible organization is an auxiliary, or a member of an organization which is affiliated with the eligible organization by being with it auxiliary to another organization.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

~~((+4))~~ (16) 'Player' 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'.

~~((+5))~~ (17) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in RCW 9.46.030 as now or hereafter amended, 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 RCW 9.46.030 as now or hereafter amended, 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;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection ~~((+3))~~ (14) of this section.

Conduct under subparagraph (a), except as exempted under RCW 9.46.030 as now or hereafter amended, 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 gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, 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: PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

~~((+6))~~ (18) 'Punch boards' and 'pull-tabs' shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

~~((+7))~~ (19) '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.

~~((+8))~~ (20) 'Social card game' means a card game, including but not limited to the game commonly known as 'Mah Jongg', which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing: PROVIDED, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization or to an admission fee allowed by the commission pursuant to RCW 9.46.070; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

~~((19))~~ (21) '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.

~~((20))~~ (22) '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 chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) 'Fund raising event' means a fund raising event conducted during any three consecutive days and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than one calendar day by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization thereof by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings and for the purchase cost of prizes given as winnings do not exceed five thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Sec. 2. Section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-76 2nd ex. sess. and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members and guests (~~(only)~~) to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed five thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together does not exceed five thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association, or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to 'win', 'place' or 'show' and those holding tickets on the three winners may receive a pay-off similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(7) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(8) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(18)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his

or her playing: PROVIDED, That this subparagraph (ii) shall not preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

(9) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a trade stimulus a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money and which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That any and all sums collected by the establishment from the sale of the tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to the benefit of the establishment.

The penalties provided for professional gambling in this chapter shall not apply to sports pools as described in ((this)) subsection (7) of this section, the wagering described in subsection: (8) of this section, social card games, bingo games, raffles, fund raising events, punch boards, pull-tabs, ((or)) amusement games, or to the use of facilities of a bona fide charitable or nonprofit organization for social card games or dice games, when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. Section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070 are each amended to read as follows:

The commission shall have the following powers and duties:

(1) To authorize and issue licenses for a period not to exceed one year to bona fide charitable or nonprofit organizations approved by the commission meeting the requirements of this chapter and any rules and regulations adopted pursuant thereto permitting said organizations to conduct bingo games, raffles, amusement games, and social card games(((,))), to utilize punch boards and pull-tabs in accordance with the provisions of this chapter and any rules and regulations adopted pursuant thereto and to revoke or suspend said licenses for violation of any provisions of this chapter or any rules and regulations adopted pursuant thereto: PROVIDED, That the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED FURTHER, That the commission or director shall not issue, deny, suspend or revoke any license because of considerations of race, sex, creed, color, or national origin: AND PROVIDED FURTHER, That the commission may authorize the director to temporarily issue or suspend licenses subject to final action by the commission;

(2) To authorize and issue licenses for a period not to exceed one year to any person, association, or organization operating a business primarily engaged in the selling of items of food or drink for consumption on the premises, approved by the commission meeting the requirements of this chapter and any rules and regulations adopted pursuant thereto permitting said person, association, or organization to utilize punch boards and pull-tabs and to conduct social card games as a commercial stimulant in accordance with the provisions of this chapter and any rules and regulations adopted pursuant thereto and to revoke or suspend said licenses for violation of any provisions of this chapter and any rules and regulations adopted pursuant thereto: PROVIDED, That the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED FURTHER, That the commission may authorize the director to temporarily issue or suspend licenses subject to final action by the commission;

(3) To authorize and issue licenses for a period not to exceed one year to any person, association, or organization approved by the commission meeting the requirements of this chapter and meeting the requirements of any rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended, permitting said person, association, or organization to conduct or operate amusement games in such manner and at such locations as the commission may determine;

(4) To authorize, require, and issue, for a period not to exceed one year, such licenses as the commission may by rule provide, to any person, association, or organization to engage in the selling, distributing, or otherwise supplying or in the manufacturing of devices for use within this state for those activities authorized by RCW 9.46.030 as now or hereafter amended;

(5) To establish a schedule of annual license fees for carrying on specific gambling activities upon the premises, and for such other activities as may be licensed by the commission, which shall provide to the commission not less than an amount of money adequate to cover all costs incurred by the commission relative to licensing under this chapter and the enforcement by the commission of the provisions of this chapter and rules and regulations adopted pursuant thereto: PROVIDED, That all licensing fees shall be submitted with an application therefor and such portion of said fee as the commission may determine, based upon its cost of processing and investigation, shall be retained by the commission upon the withdrawal or denial of any such license application as its reasonable expense for processing the application and investigation into the granting thereof: PROVIDED FURTHER, That if in a particular case the basic license fee established by the commission for a particular class of license is less than the commission's actual expenses to investigate that particular application, the commission may at any time charge to that applicant such additional fees as are necessary to pay the commission for those costs. The commission may decline to proceed with its investigation and no license shall be issued until the commission has been fully paid therefor by the applicant: AND PROVIDED FURTHER, That the commission may establish fees for the furnishing by it to licensees of identification stamps to be affixed to such devices and equipment as required by the commission and for such other special services or programs required or offered by the commission, the amount of each of these fees to be not less than is adequate to offset the cost to the commission of the stamps and of administering their dispersal to licensees or the cost of administering such other special services, requirements or programs;

(6) To require that applications for all licenses contain such information as may be required by the commission: PROVIDED, That all persons having a managerial or ownership interest in any gambling

activity, or the building in which any gambling activity occurs, or the equipment to be used for any gambling activity, or participating as an employee in the operation of any gambling activity, shall be listed on the application for the license and the applicant shall certify on the application, under oath, that the persons named on the application are all of the persons known to have an interest in any gambling activity, building, or equipment by the person making such application: PROVIDED FURTHER, That the commission may require fingerprinting and background checks on any persons seeking licenses under this chapter or of any person holding an interest in any gambling activity, building, or equipment to be used therefor, or of any person participating as an employee in the operation of any gambling activity;

(7) To require that any license holder maintain records as directed by the commission and submit such reports as the commission may deem necessary;

(8) To require that all income from bingo games, raffles, and amusement games be recorded and reported as established by rule or regulation of the commission to the extent deemed necessary by considering the scope and character of the gambling activity in such a manner that will disclose gross income from any gambling activity, amounts received from each player, the nature and value of prizes, and the fact of distributions of such prizes to the winners thereof;

(9) To regulate and establish maximum limitations on income derived from bingo: PROVIDED, That in establishing limitations pursuant to this subsection the commission shall take into account (i) the nature, character, and scope of the activities of the licensee; (ii) the source of all other income of the licensee; and (iii) the percentage or extent to which income derived from bingo is used for charitable, as distinguished from nonprofit, purposes;

(10) To regulate and establish the type and scope of and manner of conducting ~~((social card games permitted to be played; and))~~ the gambling activities authorized by RCW 9.46.030, including but not limited to, the extent of wager, money, or other thing of value which may be wagered or contributed or won by a player in ~~((a social card game))~~ any such activities;

(11) To regulate and establish a reasonable admission fee which may be imposed by an organization, corporation or person licensed to conduct a social card game on a person desiring to become a player in a social card game. A 'reasonable admission fee' under this item shall be limited to a fee which would defray or help to defray the expenses of the game and which would not be contrary to the purposes of this chapter;

(12) To cooperate with and secure the cooperation of county, city, and other local or state agencies in investigating any matter within the scope of its duties and responsibilities;

(13) In accordance with RCW 9.46.080, to adopt such rules and regulations as are deemed necessary to carry out the purposes and provisions of this chapter. All rules and regulations shall be adopted pursuant to the administrative procedure act, chapter 34.04 RCW;

(14) To set forth for the perusal of counties, city-counties, cities and towns, model ordinances by which any legislative authority thereof may enter into the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended;

(15) To establish and regulate a maximum limit on salaries or wages which may be paid to persons employed in connection with activities conducted by bona fide charitable or nonprofit organizations or card rooms and authorized by this chapter, where payment of such persons is allowed, and to regulate and establish maximum limits for other expenses in connection with such authorized activities, including but not limited to rent or lease payments.

In establishing these maximum limits the commission shall take into account the amount of income received, or expected to be received, from the class of activities to which the limits will apply and the amount of money the games could generate for authorized charitable or nonprofit purposes absent such expenses. The commission may also take into account, in its discretion, other factors, including but not limited to, the local prevailing wage scale and whether charitable purposes are benefited by the activities;

(16) To authorize, require, and issue for a period not to exceed one year such licenses or permits, for which the commission may by rule provide, to any person to work for any operator of any gambling activity authorized by this chapter in connection with that activity, or any manufacturer, supplier, or distributor of devices for those activities in connection with such business. The commission shall not require that persons working solely as volunteers in an authorized activity conducted by a bona fide charitable or bona fide nonprofit organization, who receive no compensation of any kind for any purpose from that organization, and who have no managerial or supervisory responsibility in connection with that activity, be licensed to do such work. The commission may require that licensees employing such unlicensed volunteers submit to the commission periodically a list of the names, addresses, and dates of birth of the volunteers. If any volunteer is not approved by the commission, the commission may require that the licensee not allow that person to work in connection with the licensed activity;

(17) To publish and make available at the office of the commission or elsewhere to anyone requesting it a list of the commission licensees, including the name, address, type of license, and license number of each licensee; ~~((and))~~

(18) To establish guidelines for determining what constitutes active membership in bona fide nonprofit or charitable organizations for the purposes of this chapter; and

~~((+6))~~ (19) To perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

Sec. 4. Section 8, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.080 are each amended to read as follows:

The ~~((department of motor vehicles, subject to the approval of the))~~ commission ~~((;))~~ shall employ a full time ~~((employee as))~~ director ~~((respecting gambling activities))~~, who shall be the administrator for the

commission in carrying out its powers and duties and who (~~(with the advice and approval of the commission)~~) shall issue rules and regulations adopted by the commission governing the activities authorized hereunder and shall supervise ((departmental)) commission employees in carrying out the purposes and provisions of this chapter. In addition, the ~~((department))~~ director shall ~~((furnish))~~ employ two assistant directors, together with such investigators and enforcement officers and ~~((with))~~ such ~~((of its administrative services and))~~ staff as ~~((are))~~ the commission determines is necessary to carry out the purposes and provisions of this chapter. The director, both assistant directors, and personnel occupying positions requiring the performing of undercover investigative work shall be exempt from the provisions of chapter 41.06 RCW, as now law or hereafter amended. Neither the director nor any ~~((departmental))~~ commission employee working therefor shall be an officer or manager of any bona fide charitable or bona fide nonprofit organization, or of any organization which conducts gambling activity in this state.

The director, subject to the approval of the commission, is authorized to enter into agreements on behalf of the commission for mutual assistance and services, based upon actual costs, with any state or federal agency or with any city, town, or county, and such state or local agency is authorized to enter into such an agreement with the commission. If a needed service is not available from another agency of state government within a reasonable time, the director may obtain that service from private industry.

Sec. 5. Section 10, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.100 are each amended to read as follows:

There is hereby created a fund to be known as the 'gambling revolving fund' which shall consist of all moneys receivable for licensing, penalties, forfeitures, and all other moneys, income, or revenue received by the commission. The state treasurer shall be custodian of the fund. All moneys received by the commission or any employee thereof, except for change funds and an amount of petty cash as fixed by rule or regulation of the commission, shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the gambling revolving fund. Disbursements from the revolving fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the gambling revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund. All expenses relative to commission business, including but not limited to salaries and expenses of the director and ~~((such employees of the department of motor vehicles as are working therefor))~~ other commission employees shall be paid from the gambling revolving fund.

Sec. 6. Section 1, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.115 are each amended to read as follows:

(1) In addition to any other fees and taxes imposed by this chapter, or by commission rule, there is hereby imposed a special tax to be paid by every person who maintains for use or permits the use of, on any place or premises occupied by him a coin-operated gaming device which is subject to the federal tax on coin-operated devices imposed by section 4461 of the Internal Revenue Code (79 Stat. 148; 26 U.S.C. Sec. 4461), as amended and in effect on March 11, 1976 and any subsequent amendments thereto. The amount of such tax shall be equal to eighty percent of the amount of the tax required to be paid to the federal government pursuant to section 4461 of the Internal Revenue Code (79 Stat. 148; 26 U.S.C. Sec. 4461), as amended and in effect on March 11, 1976 and any subsequent amendments thereto: PROVIDED, That such tax shall not exceed the amount of the credit for state taxes allowed by section 4464 of the Internal Revenue Code (85 Stat. 534, 26 U.S.C. Sec. 4464), as amended and in effect on March 11, 1976 and any subsequent amendments thereto.

This tax shall be imposed on any coin-operated gaming device as defined in section 4462 of the Internal Revenue Code (79 Stat. 149; 26 U.S.C. Sec. 4462), as amended and in effect on March 11, 1976 and any amendments thereto.

(2) The tax established in subsection (1) of this section shall be payable to the commission on or before June 20 of each year in advance of the following fiscal year, July 1 through June 30, pursuant to rules and regulations adopted by the commission. Payment of any tax due shall be a condition precedent to the issuance or renewal of any license of any nature by the commission to the taxpayer. The tax shall apply to each such device so maintained or permitted at any time during the year and no such device shall be placed out for public play unless and until the tax due respecting it has first been paid: PROVIDED, That a replacement for such a device removed from play shall not be deemed an additional device for that year. Proceeds from the tax shall be deposited in the gambling revolving fund and used by the commission for its expenses of administering this chapter.

The commission shall ~~((issue a stamp showing that the tax has been paid which shall be affixed to the coin-operated gaming device prior to being placed out for public play))~~ adopt rules setting out the procedure for collection of the tax and for the administration of this section.

(3) The tax imposed by subsection (1) of this section shall be in addition to any tax imposed upon such coin-operated gaming devices, or the income therefrom, by any municipal corporation or political subdivision of the state.

(4) Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 7. Section 14, chapter 218, Laws of 1973 1st ex. sess. as amended by section 8, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.140 are each amended to read as follows:

~~((For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose, may))~~

(1) The commission or its authorized representative may:

(a) Make necessary public or private investigations within or outside of this state to determine whether any person has violated or is about to violate this chapter or any rule or order hereunder, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder; and

(b) Inspect the books, documents, and records of any person lending money to or in any manner financing any license holder or applicant for a license or receiving any income or profits from the use of such license for the purpose of determining compliance or noncompliance with the provisions of this chapter or the rules and regulations adopted pursuant thereto. ((The commission, or its designee, may conduct hearings; administer oaths; take depositions; compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105.))

(2) For the purpose of any investigation or proceeding under this chapter, the commission or any officer designated by rule may conduct hearings, administer oaths or affirmations, or upon the commission's or officer's motion or upon request of any party may subpoena witnesses, compel attendance, take depositions, take evidence, or require the production of any matter which is relevant to the investigation or proceeding, including but not limited to the existence, description, nature, custody, condition, or location of any books, documents, or other tangible things, or the identity or location of persons having knowledge or relevant facts, or any other matter reasonably calculated to lead to the discovery of material evidence.

(3) Upon failure to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all persons affected thereby, the director may apply to the superior court for an order compelling compliance.

(4) The commission may appoint hearing officers to conduct hearings respecting the suspension, revocation, or denial of licenses, who may administer oaths, admit or deny admission of evidence, compel the attendance of witnesses, issue subpoenas, issue orders, and exercise all other powers and perform all other functions set out in RCW 34.04.090 (6) and (8), 34.04.100 and 34.04.105. The salaries and expenses of such hearing officers may be paid from any revenues available to the commission.

(5) Except as otherwise provided in this chapter, all proceedings under this chapter shall be in accordance with the administrative procedure act, chapter 34.04 RCW.

Sec. 8. Section 18, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.180 are each amended to read as follows:

Any person who knowingly causes, aids, abets, or conspires with another to cause any ((association or organization) person) to violate any provision of this chapter ((or of any rule or regulation adopted pursuant to this chapter)) shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or both.

**NEW SECTION.** Sec. 9. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

Any person who knowingly causes, aids, abets, or conspires with another to cause any person to violate any rule or regulation adopted pursuant to this chapter shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or both.

Sec. 10. Section 19, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.190 are each amended to read as follows:

Any person or association or organization operating any gambling activity ((authorized under RCW 9.46.030;)) who or which, directly or indirectly, shall in the course of such operation:

(1) Employ any device, scheme, or artifice to defraud; 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 said statement is made; 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 and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or both.

**NEW SECTION.** Sec. 11. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

Every city or town is authorized to enact as an ordinance of that city or town any or all of the sections of this chapter the violation of which constitutes a misdemeanor or gross misdemeanor. The city or town may not modify the language of any section of this chapter in enacting such section except as necessary to put the section in the proper form of an ordinance or to provide for a sentence to be served in the appropriate detention facility. The ordinance must provide for the same maximum penalty for its violation as may be imposed under the section in this chapter.

**NEW SECTION.** Sec. 12. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

District courts operating under the provisions of chapters 3.30 through 3.74 RCW, except municipal departments of such courts operating under chapter 3.46 RCW and municipal courts operating under chapter 3.50 RCW, shall have concurrent jurisdiction with the superior court to hear, try, and determine misdemeanor and gross misdemeanor violations of this chapter and violations of any ordinance passed under authority of this chapter by any city or town.

Municipal courts operating under chapters 35.20 or 3.50 RCW and municipal departments of the district court operating under chapter 3.46 RCW, shall have concurrent jurisdiction with the superior court to



hear, try, and determine violations of any ordinance passed under authority of this chapter by the city or town in which the court is located.

Notwithstanding any other provision of law, each of these courts shall have the jurisdiction and power to impose up to the maximum penalties provided for the violation of the ordinances adopted under the authority of this chapter. Review of the judgments of these courts shall be as provided in other criminal actions.

**NEW SECTION.** Sec. 13. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

No person participating in a gambling activity shall in the course of such participation, directly or indirectly:

(1) Employ or attempt to employ any device, scheme, or artifice to defraud any other participant or any operator;

(2) Engage in any act, practice, or course of operation as would operate as a fraud or deceit upon any other participant or any operator;

(3) Engage in any act, practice, or course of operation while participating in a gambling activity with the intent of cheating any other participant or the operator to gain an advantage in the game over the other participant or operator; or

(4) Cause, aid, abet, or conspire with another person to cause any other person to violate subsections (1) through (3) of this section.

Any person violating this section shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or both.

**NEW SECTION.** Sec. 14. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

Any person who works as an employee or agent or in a similar capacity for another person in connection with the operation of an activity for which a license is required under this chapter or by commission rule without having obtained the applicable license required by the commission under section 3(16) of this 1977 amendatory act shall be guilty of a gross misdemeanor and shall, upon conviction, be punished by not more than one year in the county jail or a fine of not more than five thousand dollars, or both.

Sec. 15. Section 21, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.210 are each amended to read as follows:

(1) It shall be the duty of ~~((and))~~ all peace officers ~~((or))~~, law enforcement officers ~~((or))~~, and law enforcement agencies within this state ~~((are hereby empowered))~~ to investigate, ~~((and))~~ enforce, and prosecute all violations of this chapter.

(2) In addition to the authority granted by subsection (1) of this section law enforcement agencies of cities and counties shall investigate and report to the commission all violations of the provisions of this chapter and of the rules of the commission found by them and shall assist the commission in any of its investigations and proceedings respecting any such violations. Such law enforcement agencies shall not be deemed agents of the commission.

~~((2))~~ (3) In addition to its other powers and duties, the commission shall have the power to enforce the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. The director, both assistant directors, and each of the commission's investigators, enforcement officers, and inspectors ~~((assigned by the department of motor vehicles to the commission))~~ shall have the power, under the supervision of the commission, to enforce the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power and authority to apply for and execute all warrants and serve process of law issued by the courts in enforcing the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. To the extent set forth above, the commission shall be a law enforcement agency of this state with the power to investigate for violations of and to enforce the provisions of this chapter, as now law or hereafter amended, and to obtain information from and provide information to all other law enforcement agencies.

Sec. 16. Section 23, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.230 are each amended to read as follows:

(1) All gambling devices as defined in RCW ~~((9.46.020(9)))~~ 9.46.020(10) 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 chapter.

(2) No property right in any gambling device as defined in RCW (~~(9-46-020(9))~~) 9.46.020(10) shall exist or be recognized in any person, except the possessory right of officers enforcing this chapter.

(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 shall not apply to such items utilized in activities enumerated in RCW 9.46.030, as now or hereafter amended ((or)), when the items are of the type and kind traditionally and usually employed in connection with the particular activity. Nor shall this subsection apply to any act or acts in furtherance ((thereof)) of such activities when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations adopted pursuant thereto.

(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 RCW 9.46.020 as now or hereafter amended 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 shall not apply to devices used in those activities enumerated in RCW 9.46.030, as now or hereafter amended, ((or)) when the devices are of the type and kind traditionally and usually employed in connection with the particular activity. Nor shall this subsection apply to any act or acts in furtherance ((thereof)) of such activities when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations adopted pursuant thereto. 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 shall not apply to records relating to and kept for activities enumerated in RCW 9.46.030, as now or hereafter amended ((or)), when the records are of the type and kind traditionally and usually employed in connection with the particular activity. Nor shall this subsection apply to any act or acts in furtherance ((thereof)) of such activities when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations adopted pursuant thereto. In the enforcement of this subsection direct possession of any such gambling record shall be presumed to be knowing possession thereof.

**NEW SECTION.** Sec. 17. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

All applications for licenses made to the commission, with the exception of any portions of the applications describing the arrest or conviction record of any person, and all reports required by the commission to be filed by its licensees on a periodic basis concerning the operation of the licensed activity or concerning any organization, association, or business in connection with which a licensed activity is operated, in the commission files, shall be open to public inspection at the commission's offices upon a prior written request of the commission. The staff of the commission may decline to allow an inspection until such time as the inspection will not unduly interfere with the other duties of the staff. The commission may charge the person making a request for an inspection an amount necessary to offset the costs to the commission of providing the inspection and copies of any requested documents.

**NEW SECTION.** Sec. 18. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

(1) For purposes of a prosecution under RCW 9.46.230(4) or a seizure, confiscation, or destruction order under RCW 9.46.230(1), it shall be a defense that the gambling device involved is an antique slot machine and that the antique slot machine was not operated for gambling purposes while in the owner's or defendant's possession. No slot machine, having been seized under this chapter, may be altered, destroyed, or disposed of without affording the owner thereof an opportunity to present a defense under this section. If the defense is applicable, the antique slot machine shall be returned to the owner or defendant, as the court may direct.

(2) RCW 9.46.230(2) shall have no application to any antique slot machine that has not been operated for gambling purposes while in the owner's possession.

(3) For the purposes of this section, a slot machine shall be conclusively presumed to be an antique slot machine if it was manufactured prior to January 1, 1941. Nothing in this subsection shall prevent a person from establishing that a slot machine manufactured on or after January 1, 1941, is an antique slot machine.

**NEW SECTION.** Sec. 19. This 1977 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, on line 1 of the title, after "gambling;" strike the remainder of the title and insert "amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.020; amending section 3, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.030; amending section 7, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.070; amending section 8, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.080; amending section 10, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.100; amending section 1, chapter 87, Laws of 1975-'76 2nd ex. sess. and RCW 9.46.115; amending section 14, chapter 218, Laws of 1973 1st ex. sess. as amended by section 8, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.140; amending section 18, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.180; amending section 19, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.190; amending section 21, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 166, Laws of 1975 1st ex. sess. and RCW 9.46.210; amending section 23, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.230; adding new sections to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW; prescribing penalties; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Warnke, the House refused to concur in the Senate amendments to Engrossed House Bill No. 1133, and asked the Senate to recede therefrom.

### SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION

May 24, 1977

Mr. Speaker:

The Senate has passed HOUSE CONCURRENT RESOLUTION NO. 32 with the following amendments:

On page 8, line 16, Rule 7, after "report)")" and before the period insert "PROVIDED, HOWEVER, That in the event five members of a conference committee cannot agree on a request for a free conference report a majority of the committee may report that the committee cannot agree, and request the appointment of another committee"

On page 8, line 17 strike "HOW MADE UP" and insert "CONFERENCE COMMITTEE APPOINTEES"

On page 8, beginning on line 18 strike Rule 8 and insert:

"RULE 8. The presiding officer of each house shall appoint on ((such)) each conference committee three members, selecting them so as to represent, in each case, ((the attitude of)) the majority and minority positions as relates to the subject matter and to the extent possible the majority and minority political parties, upon the differences between the houses."

On page 8, amend Rule 9 as follows:

On line 33 after "resolution" and before the period insert "and such report must have the signatures of five of the six members of the committee"

On page 9, strike Rule ((9)) 10 and insert:

#### "FREE CONFERENCE COMMITTEE"

RULE ((9)) 10. ((In case of failure of the conferees to agree on matters directly at issue between the two houses, a report of the items of such disagreement including new proposed items within the scope and object of the title of the bill in conference shall be made and)) Upon request for free conference the power of free conference may be granted ((to)) by the two houses ((either)) to the same committee, ((or the committee may be discharged and a new committee appointed with the power of free conference,)) to whom only ((items of disagreement or new items approved by one house in the disputed bill or resolution)) the proposed free conference report may be committed, or the committee may be discharged and a new committee appointed with the power of conference, as defined in Joint Rule 7 ((and)). The report of the committee of free conference ((may report by new bill or resolution, or otherwise, and bills or resolutions so reported)) shall be acted upon in the same manner as provided for reports of conference committee ((PROVIDED; That the house and senate shall have thirty-six hours from the time of receipt in the house originating the conference request to consider reports from a free conference committee and shall not vote thereon until the thirty-six hour period shall have elapsed except that with respect to budget and appropriations and revenue and tax measures, the required interval shall be twenty-four hours: PROVIDED FURTHER, That irrespective of any rule herein or any rule of either the senate or the house of representatives, the foregoing provisions relating to thirty-six and twenty-four hour intervals will not be suspended unless the legislature shall otherwise direct by a two-thirds vote of all of the members elected to each house. Simultaneously with receipt of the report a copy of said report shall be placed upon the desk of each member of the legislature)). The report of a free conference committee must have the signatures of five of the six members of the committee."

On page 10, line 12 after "deletions))" strike ";" and insert "(:) , and"

On page 11, beginning on line 3 amend Rule 12 as follows: Strike "The report shall be read in full in each house before a vote is taken on the report."

On page 17, line 19, Rule ((27)) 26, strike "undertaken" and insert "((undertaken)) initiated by resolution and adopted by the respective houses" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. King, the House refused to concur in the Senate amendments to House Concurrent Resolution No. 32, and asked the Senate for a conference thereon.

#### SENATE AMENDMENT TO HOUSE BILL

May 25, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1284 with the following amendment:

On page 1, line 30 after "legislature" insert ": PROVIDED FURTHER, That any and all records of any lessee under this section, including but not limited to the books, records, accounts, agreements, and sub-leases pertaining thereto, shall be open to inspection by the board of regents and/or the ways and means committees of the house or senate or any successor committee thereof" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Burns moved that the House do not concur in the Senate amendment to House Bill No. 1284, and ask the Senate to recede therefrom.

Representatives Burns and Newhouse spoke in favor of the motion, and it was carried.

#### REPORT OF CONFERENCE COMMITTEE

May 24, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2421 as amended by the House, authorizing local governments to employ hearing examiners to hear applications for amending zoning ordinances, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend the following: That the House amendment striking everything after the enacting clause not be adopted, and other amendments be adopted.

Signed by Senators Goltz, Sellar, Van Hollebeke; Representatives Eng, Lee, Owen.

#### MOTION

On motion of Mr. Owen, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3036, as amended by the House, by Committee on Commerce (Originally sponsored by Senators Van Hollebeke and Mardesich):

Authorizing class H licenses for facilities on the premises of domestic wineries.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Warnke, testimony in committee when they were talking about this amendment, spoke specifically to minors cleaning up the premises. Was it the intent of this amendment that we do not allow an establishment like this to hold—let's say a coke party—in which liquor would not be sold?"

Mr. Warnke: "In the testimony in committee, and it is my intent and I think the intent of the full committee when they passed the bill, and the intent of the body here when we talked about that amendment on the floor the first time, was that it is to be only for the use of

youngsters to come in and clean up the establishment. There is no intention, there was no testimony, where a class H licensee, or a restaurant, could open up on a Sunday, for example, and not sell liquor and hold a party for teenagers or minors in a Class H establishment, and that is not the intent of the amendment."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3036 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Tally, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Paris, Shipoch, Tilly, Zimmerman.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk.

Engrossed Substitute Senate Bill No. 3036 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. 2858**, by Committee on Ecology (Originally sponsored by Senators Woody, Fleming and Buffington):

Changing the law on solid waste.

The bill was read the third time and placed on final passage.

Mr. Owen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2858, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Nelson D.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk.

Substitute Senate Bill No. 2858, 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. 2654**, as amended by the House, by Committee on Ecology (Originally sponsored by Senator Bottiger):

Modifying public notice and judicial review provisions of the environmental policy act.

The bill was read the third time and placed on final passage.

Representatives Valle and Barr 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. 2654 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 3; not voting, 6.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D.,

Nelson G. A., Newhouse, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Charette, North.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk.

Engrossed Substitute Senate Bill No. 2654 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 SECOND SUBSTITUTE SENATE BILL NO. 2040, as amended by the House, by Committee on Ways and Means (Originally sponsored by Senators Fleming, North and Talley):

Establishing a program to improve jails.

The bill was read the third time and placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Hanna, I am sure that you spent a lot of time in committee going over the jail situation in the state. Do you have any estimate of the cost of a bond issue that would have to be established to fund all the jails that need to be modernized and the new ones that have to be built?"

Mr. Hanna: "Yes, that is covered in House Bill No. 1252, and the figure is \$63 million."

Mr. Patterson: "How do the local jurisdictions make application for the funds to qualify for the funds?"

Mr. Hanna: "In a study funded by the Legislature in the last four years, and the jail study around the state has been done, and it has been determined what remodeling, restructuring or new construction is necessary. Those jails that need that kind of thing are in that plan and they are already earmarked for funding. I don't think there are any jails in the state that are not in that plan."

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mrs. North.

Mrs. North: "Representative Hanna, could I ask you, under this plan for jail construction, are any of the funds to come from local government?"

Mr. Hanna: "Under the House version, no. Under the Senate version, twenty-five percent. Under the Conference Committee version, probably ten to fifteen percent."

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Amen.

Mr. Amen: "I'm not concerned about mini-prisons in my district, Representative Hanna, but the caucus digest says it allows commissioners to close jails if they do not meet standards. What will happen if they do close jails?"

Mr. Hanna: "Well, there would be a number of things they could do if a small county or city would, particularly, since the state is making the money available, but if they could not meet the physical or other standards, and a jail were closed, they would have several alternatives. They could contract with other jails or larger jails in their area. For example, if you closed a jail twenty-five miles from Spokane, that community, city or county, would have the opportunity to contract with the Spokane jail to keep people there."

Mr. Amen: "Would they be able to close the jails before the money was provided to get the jails up to standard?"

Mr. Hanna: "No, that will not happen."

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Hanna, under the provisions of this bill there would really be no reason why a jail is not, in a county or a city, able to meet the requirements of the jail standards. Is that correct?"

Mr. Hanna: "That's correct, although some jails might. It is conceivable they might ignore the standards for care in terms of guardians, so they might flagrantly violate the standards and thereby lose funding or state support."

Mr. Deccio: "My question was that if they were attentive and did not choose to ignore the standards, that this bill would take care of the problem. There would be no reason why any city or county should have a problem if this bill passes?"

Mr. Hanna: "That's correct."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2040 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 4; not voting, 6.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Flanagan, Hansen.

Not voting: Representatives Barnes, Enbody, Erickson, Fancher, Leckenby, Polk.

Engrossed Second Substitute Senate Bill No. 2040 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.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Becker, Hanna and Deccio as conferees on Second Substitute House Bill No. 874.

The Speaker (Mr. O'Brien presiding) appointed Representatives King, O'Brien and Berentson as conferees on House Concurrent Resolution No. 32.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. King, the House dispensed with further business under the Call of the House.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

Mr. Kilbury 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 Erickson, Fancher, Leckenby, Nelson (Dick) and Winsley.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

## MOTION

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

## SECOND READING

ENGROSSED SENATE BILL NO. 2215, by Senators Francis, Woody and Clarke:

Revising probate laws.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day ex. sess., April 29, 1977.)

On motion of Mr. Smith, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2215 as amended by the House was placed on final passage.

Mr. Smith spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Charette.

Mr. Charette: "Representative Smith, on page 13, line 21, it says that an act, if made by an individual, shall not be deemed to be within their personal knowledge until it has been brought to their attention. Could you explain to us how a person could make an affidavit that is presumably notarized, and then say it is not within their knowledge until it is brought to their attention?"

Mr. Smith: "I'm afraid I don't understand your question."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2215 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Gallagher, Martinis, Shinpoch.

Not voting: Representatives Erickson, Fancher, Leckenby, Nelson D., Winsley.

Engrossed Senate Bill No. 2215 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.

Representatives Nelson (Dick) and Winsley appeared at the bar of the House.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2873, by Committee on Constitution and Elections (Originally sponsored by Senators Goltz, Bailey, Sellar and Newschwander -- by Joint Board of Legislative Ethics request):

Revising laws relating to legislative ethics.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 70th Day ex. sess., May 19, 1977.)

On motion of Mr. Hawkins, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2873 as amended by the House was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.



## POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Nelson (Gary).

Mr. Nelson (Gary): "Representative Hawkins, on this committee amendment that you have now put on page 8, line 14, the concern I have, and maybe you can help me, if someone is charged, and they file an affidavit of prejudice against a majority of the members of the board, disqualifying them, and there is not a quorum, how will this board act?"

Mr. Hawkins: "A new quorum would be appointed, so that you would have a functional quorum of that body and there would be no further option for challenge of that new membership."

Mr. Fuller spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Hawkins yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "On page 3, line 29, it says that the public will be permitted to testify only on matters relating to present or proposed legislative ethic code rules and laws as well as the functions and the operations of the court. Why is the complete restriction there, the only restriction, public restriction?"

Mr. Hawkins: "Representative Zimmerman, this is new language to allow greater participation by the public, and I think what it is intended to do is to define those aspects of the functioning of the joint board that the public might be involved in, and they would not be involved in a dialogue with the board as far as the investigatory process."

Mr. Zimmerman: "A second question: On page 4, the stricken language, where it says the code of ethics shall follow these principals—and it strikes all the references to the principals, the various principals, that were seemingly, originally quite an important aspect of the bill. Is this repeated someplace in the bill or for what reason has that been stricken?"

Mr. Hawkins: "I'll yield to Representative McKibbin on that point."

Mr. McKibbin: "Representative Zimmerman, this bill was the work of the Joint Board of Ethics. As a matter of fact, both bills we'll be considering here shortly, are the work of the board. This section, as you read through it, is an intent section. The reason it was stricken was because it was old language. It was stricken with that because the language that follows the new language was to provide that they would make a recommendation of what was ethical to the joint rules of what would be ethical conduct for the adoption by the House and Senate. Thereby the intent being set by the major body itself, rather by dictation. Therefore, the language was stricken in hopes of cleaning up the section, not providing intent, but to provide for an actuality when it was actually addressed."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2873 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Erickson, Fancher, Leckenby.

Engrossed Substitute Senate Bill No. 2873 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.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 228,  
HOUSE BILL NO. 389,  
SUBSTITUTE HOUSE BILL NO. 472,  
HOUSE BILL NO. 583,  
HOUSE BILL NO. 617,  
HOUSE BILL NO. 618,  
SUBSTITUTE HOUSE BILL NO. 662,  
SUBSTITUTE HOUSE BILL NO. 678,  
HOUSE BILL NO. 779,  
SENATE BILL NO. 2061,  
SUBSTITUTE SENATE BILL NO. 2082,  
SUBSTITUTE SENATE BILL NO. 2107,  
SENATE BILL NO. 2156,  
SUBSTITUTE SENATE BILL NO. 2383,  
SENATE BILL NO. 2426.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, by Committee on Constitution and Elections (Originally sponsored by Senators Goltz, Bailey, Sellar and Newschwander – by Joint Board of Legislative Ethics request):

Revising laws on ethics and disclosure.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, today's Journal.)

On motion of Mr. Hawkins, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2877 as amended by the House was placed on final passage.

Mr. Hawkins 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. 2877 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Erickson, Fancher, Leckenby.

Engrossed Substitute Senate Bill No. 2877 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. King moved that SUBSTITUTE HOUSE BILL NO. 1327 be rereferred to Committee on Elections and Governmental Ethics.

Mr. King spoke in favor of the motion, and Mr. Hawkins spoke against it.

The motion was carried.

HOUSE BILL NO. 1306, by Representatives King, Sommers, Haley, Charnley, Blair, Clemente, Warnke, Shipoch and Thompson:

Establishing a schedule of salary increases for legislators.

On motion of Mr. Ehlers, Second Substitute House Bill No. 1306 was substituted for House Bill No. 1306, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1306 was read the second time.

Mr. Hurley (George) moved adoption of the following amendment:

On page 1, following line 28 insert:

"Sec. 2. Section 44.04.080 as last amended by chapter 3, section 2, Laws of 1969 and section 44.04.090 as last amended by chapter 106, section 20, Laws of 1973 are each amended as follows:

Members of the legislature including the president of the senate shall be paid ~~((not to exceed forty dollars per day in lieu of))~~ an amount equal to their actual cost of providing subsistence and lodging during and while attending any legislative session.

The state treasurer shall issue warrants for said reimbursement supported by affidavits that the reimbursement is claimed for expenses of subsistence and lodging actually incurred ~~((without))~~ with general itemization ((and without receipts)). Such warrants shall be immediately paid from any funds appropriated for the purpose."

#### POINT OF ORDER

Mr. Taller: "I'd like the Speaker to rule whether or not this amendment is beyond the scope and object of the bill, since the bill deals with an act relating to the salaries of elected officials, and this amendment deals with per diem. I believe it is beyond the scope and object of the bill."

#### SPEAKER'S RULING

The Speaker: "Representative Taller, the amendment deals with the same general subject. On page 2 of the bill it deals with members of the Legislature—what they shall receive annually—so the Speaker will rule that it is within the scope and object."

Mr. Pardini moved adoption of the following amendment to the Hurley (George) amendment:

On line 5 after "lodging" insert "and travel to their home districts not to exceed one round trip per week"

Representatives Pardini, Polk and Hanna spoke in favor of the amendment to the amendment, and Mr. Ehlers spoke against it.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Hawkins.

Mr. Hawkins: "Representative Ehlers, isn't there constitutional language that restricts compensation to and from session?"

Mr. Ehlers: "I believe that it is very clear in the Constitution about reimbursement. It talks in the Constitution about reimbursement for coming during session. That's one of the problems for study in a comprehensive study."

Mr. Hurley (George) spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Owen.

Mr. Owen: "Representative Pardini, it doesn't say what kind of travel. Does this include air travel, travel by car or bus? I'd like to have a clarification on that, please."

Mr. Pardini: "I think that the intent of the amendment, Representative Owen, filling in the total amendment, is for actual costs incurred. I believe that my amendment would be for actual costs incurred if you travel by air or bus. If you travel by private automobile you get a standard round trip mileage pretty well set forth."

Representatives Bond, Kilbury and Pardini spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment to the Hurley (George) amendment:

On line 6 after "session" insert ": PROVIDED, That such cost excluding travel shall not exceed forty dollars per day"

Representatives Tilly, Blair and Smith spoke in favor of the amendment to the amendment, and Mr. Hurley (George) spoke against it.

Mr. Tilly spoke again in favor of the amendment to the amendment.

The amendment was not adopted.

The Speaker stated the question before the House to be the amendment by Representative Hurley (George) as amended.

Representatives Hurley (George), Smith and Bond spoke in favor of the amendment as amended, and Representatives Berentson, Deccio, Greengo, Shinpoch and Ehlers spoke against it.

Mr. Charnley demanded the previous question, and the demand was sustained.

#### MOTION FOR RECONSIDERATION

Mr. Hurley (George) having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Tilly to the Hurley amendment was not adopted.

#### SPEAKER'S RULING

The Speaker: "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 . . . ' The question before the House is the adoption of the amendment by Representative Hurley as amended."

The amendment as amended was not adopted.

#### POINT OF PERSONAL PRIVILEGE

Mr. Hurley (George): "It's too late now, Mr. Speaker, but I wanted to get a complete explanation on your ruling. I've heard reconsiderations here until I'm blue in the ears from them, and when I've voted on the prevailing side and have been ruled out of order, I am actually angered. I'm not an angry man, and I'm angered by this ruling. It is an insult to me and it's an insult to my constituents. I think it is something that just shouldn't be done in this House, or you'd better throw the reconsideration rule out the window and not use it again."

The Speaker: "Mr. Hurley, the Speaker ruled based on House rules when the previous question had been demanded and sustained. Reconsideration prior to that time would have been in order. After the previous question has been sustained, it was not in order. There is no way that you or your constituents are insulted by obeying House rules."

Mr. Hawkins moved adoption of the following amendment:

On page 2, line 1 strike all material through line 11 and insert "(1) Members of the legislature shall each receive annually for their services an amount equal to twenty-five percent of the salary designated to be paid to the governor for his or her salary, and in addition, ten cents per mile for travel to and from legislative sessions."

Mr. Hawkins spoke in favor of the amendment, and Mr. Ehlers spoke against it.

The amendment was not adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 1306 was placed on final passage.

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

Mr. Ehlers spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

#### MOTION

Mr. Berentson moved that further consideration of Second Substitute House Bill No. 1306 be deferred, and that the bill be ordered placed at the top of tomorrow's third reading calendar.

Mr. Berentson spoke in favor of the motion, and Mr. King spoke against it.

#### POINT OF ORDER

Mr. Berentson: "After five minutes we really haven't gotten the issue in front of us. We're perfectly willing to cooperate in any way, but we are not talking about cooperation."

The Speaker: "Your point is not well taken."

Mr. King continued his remarks in opposition to the motion, and Mr. Deccio spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion to defer further consideration of Second Substitute House Bill No. 1306, and the motion was lost by the following vote: Yeas, 31; nays, 64; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Erickson, Fancher, Leckenby.

The Speaker stated the question before the House to be final passage of Second Substitute House Bill No. 1306.

Representatives Douthwaite, Kilbury, Smith and Lux spoke in favor of passage of the bill, and Representatives Hurley (George), Struthers and Lee spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1306, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Chandler, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Gaines, Gallagher, Greengo, Gruger, Haley, Hanna, Hansen, Hawkins, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., O'Brien, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Burns, Charette, Clayton, Craswell, Deccio, Dunlap, Enbody, Erak, Fischer, Flanagan, Fortson, Fuller, Gilleland, Grier, Grimm, Heck, Hughes, Hurley G. S., Hurley M., Lee, May, McCormick, Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Paris, Patterson, Polk, Schmitt, Shinoda, Struthers, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Erickson, Fancher, Leckenby.

Second Substitute House Bill No. 1306, 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. King, Second Substitute House Bill No. 1306 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 1321, by Representatives Ehlers, Sommers, Taller, Smith and Charnley:

Establishing a schedule of salary increases for the executive branch officers.

On motion of Mr. Ehlers, Substitute House Bill No. 1321 was substituted for House Bill No. 1321, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1321 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1321 was placed on final passage.

Representatives Ehlers and Taller spoke in favor of passage of the bill.

#### MOTION

On motion of Mr. Charnley, Representative Shinpoch was excused from the Call of the House.

Mr. Struthers spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1321, and the bill passed the House by the following vote: Yeas, 63; nays, 31; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Eng, Fischer, Fuller, Gaines, Gallagher, Greengo, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Newhouse, O'Brien, Owen, Patterson, Pearsall, Polk, Salatino, Sherman, Shinoda, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Burns, Clayton, Craswell, Dunlap, Enbody, Erak, Flanagan, Fortson, Gilleland, Grier, Grimm, Hughes, Hurley M., Lee, May, Nelson G. A., North, Oliver, Pardini, Paris, Pruitt, Sanders, Schmitten, Struthers, Tilly, Walk, Whiteside, Wilson, Winsley.

Not voting: Representatives Erickson, Fancher, Leckenby, Shipoch.

Substitute House Bill No. 1321, 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. 1322, by Representatives Ehlers, Sommers, Taller, Erickson and Smith:

Establishing a schedule of salary increases for the judicial branch.

On motion of Mr. Ehlers, Second Substitute House Bill No. 1322 was substituted for House Bill No. 1322, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1322 was read the second time.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse and Amen:

On page 2, strike section 4 and renumber the remaining section.

Representatives Newhouse and Amen spoke in favor of the amendment, and Representatives Ehlers and Charette spoke against it.

The amendment was not adopted.

Representative Shipoch appeared at the bar of the House.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 1322 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1322, and the bill passed the House by the following vote: Yeas, 60; nays, 35; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Fischer, Fuller, Gaines, Gallagher, Greengo, Grimm, Gruger, Haley, Hanna, Hawkins, Heck, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Paris, Pearsall, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Craswell, Deccio, Dunlap, Enbody, Erak, Flanagan, Fortson, Gilleland, Grier, Hansen, Hughes, Hurley M., Keller, Lee, May, Nelson G. A., Newhouse, North, Oliver, Pardini, Patterson, Polk, Pruitt, Schmitten, Shinoda, Struthers, Vrooman, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Erickson, Fancher, Leckenby.

Second Substitute House Bill No. 1322, 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

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 15, by Committee on Revenue (Originally sponsored by Representatives O'Brien, Lux, North and Sommers):

Authorizing state income tax with limitations upon tax structures.

The Speaker stated the question before the House to be reconsideration of final passage of the resolution.

## MOTION

Mr. King moved that the rules be suspended, and Engrossed Substitute House Joint Resolution No. 15 be returned to second reading for the purpose of amendment.

Representatives King and Pardini spoke in favor of the motion, and it was carried.

The Speaker called on Mr. O'Brien to preside.

On motion of Ms. Sommers, the following amendment was adopted:  
On page 2, line 8 after "by" insert "net"

Ms. Sommers moved adoption of the following amendment:

On page 2, after line 28 add a new subsection (3) as follows:

"(3) Commencing with assessment as of January 1, 1983, for taxes due in 1984, business inventories shall be fully exempt from ad valorem taxation: PROVIDED, That an act imposing a tax upon or measured by net income is in effect."

Renumber the remaining subsections consecutively.

Ms. Sommers spoke in favor of the amendment.

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Sommers, would this allow, up until 1983, the Legislature to postpone, such as Governor Ray had suggested in her tax proposal, the further carrying out of the phasing out of the inventory tax?"

Ms. Sommers: "Yes."

Mr. Tilly spoke against the amendment, and Mr. Kilbury spoke in favor of it.

The amendment was adopted.

Ms. Sommers moved adoption of the following amendment:

On page 3, line 7 after "12" insert ": PROVIDED, That after the initial adoption of an act imposing a tax upon or measured by net income and defining taxable income, no amendment to such act, other than adoption by reference of federal statutes, shall change the definition of taxable income unless such amendment is enacted by a sixty percent majority of the members of each house of the legislature and is subject to referendum petition as provided in Article II, Sec. 1(b)"

Ms. Sommers spoke in favor of the amendment, and Mr. Bond spoke against it.

The amendment was adopted.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 30 after "percent" insert ": PROVIDED, That in the case of corporations, such tax shall be determined by the application of the tax rate against federal taxable income. For purposes of this paragraph, federal taxable income shall mean 'taxable income' as defined in section 63 of the Internal Revenue Code: PROVIDED FURTHER, That in the case of regulated investment companies subject to the tax imposed by section 852 of the Internal Revenue Code, real estate investment trusts subject to the tax imposed by section 857 of the Internal Revenue Code, and cooperatives whose taxable income is determined in accordance with the provisions of sections 1381 through 1388 of the Internal Revenue Code, 'federal taxable income' shall mean that income subject to tax under the provisions of the Internal Revenue Code. In the case of domestic international sales corporations whose taxability is determined pursuant to sections 991 through 994 of the Internal Revenue Code, and small business corporations whose taxability is determined pursuant to sections 1371 through 1379 of the Internal Revenue Code, the taxability of corporate income shall be determined in the same fashion as for federal income tax purposes"

## POINT OF ORDER

Ms. Sommers: "Mr. Speaker, this amendment is the same, I believe, as one that was offered earlier and turned down on HJR 15. Would you please rule on the advisability or legality of that proposal?"

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Sommers, it appears that this amendment is different from the amendment offered earlier by Representatives Dunlap and Taller in previous consideration. The one previously provided revision in the case of individuals. This one pertains to corporations. I am ruling the amendment is in order."

The Speaker resumed the Chair.

Representatives Tilly, Nelson (Gary) and Polk spoke in favor of the amendment, and Representatives Kilbury and Sommers spoke against it.

The Speaker called on Mr. King to preside.

The Speaker spoke against the amendment.

#### MOTIONS

On motion of the Speaker, the House dispensed with further business under the Call of the House.

On motion of the Speaker, the House adjourned until 9:30 a.m., Saturday, May 28, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.



## SEVENTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, May 28, 1977.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Clemente, Erickson, Fancher, Leckenby and Sanders, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Linda Silsbee and Marty Wray. Prayer was offered by Reverend Glen Cole of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

May 27, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2132,  
SENATE BILL NO. 2159,  
SENATE BILL NO. 2202,  
SUBSTITUTE SENATE BILL NO. 2811,  
SENATE BILL NO. 3002,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 28, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 228,  
HOUSE BILL NO. 389,  
SUBSTITUTE HOUSE BILL NO. 472,  
HOUSE BILL NO. 583,  
HOUSE BILL NO. 617,  
HOUSE BILL NO. 618,  
SUBSTITUTE HOUSE BILL NO. 662,  
SUBSTITUTE HOUSE BILL NO. 678,  
HOUSE BILL NO. 779,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 183, and the President has appointed as Senate conferees thereon: Senators Marsh, Hayner, Bottiger.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 353, and the President has appointed as Senate conferees thereon: Senators Fleming, Wanamaker, Bottiger.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2113, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, and the President has appointed as Senate conferees thereon: Senators Day, Sellar, Francis.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2197, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2990, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3093, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 338,  
HOUSE BILL NO. 382,  
SUBSTITUTE HOUSE BILL NO. 387,  
ENGROSSED HOUSE BILL NO. 438,  
ENGROSSED HOUSE BILL NO. 1260,  
ENGROSSED HOUSE BILL NO. 1262,  
ENGROSSED HOUSE BILL NO. 1263,  
SUBSTITUTE HOUSE BILL NO. 1266,  
HOUSE JOINT RESOLUTION NO. 55,  
HOUSE JOINT RESOLUTION NO. 56,  
HOUSE JOINT RESOLUTION NO. 57,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 28, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2113,  
SUBSTITUTE SENATE BILL NO. 2197,  
SENATE BILL NO. 2199,  
SUBSTITUTE SENATE BILL NO. 2210,  
SUBSTITUTE SENATE BILL NO. 2858,  
SENATE BILL NO. 2990,  
SUBSTITUTE SENATE BILL NO. 3093,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2199, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2210, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 27, 1977

Mr. Speaker:

The Senate has adopted the report of the conference committee on ENGROSSED SENATE BILL NO. 2421, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 2132,  
SENATE BILL NO. 2159,  
SENATE BILL NO. 2202,  
SUBSTITUTE SENATE BILL NO. 2811,  
SENATE BILL NO. 3002.

## REPORTS OF STANDING COMMITTEES

May 25, 1977

SUBSTITUTE SENATE BILL NO. 2502, Prime Sponsor: Senator Donohue, establishing procedures for the measurement of locally assessed property values for purposes of equalizing property values. Reported by Committee on Revenue.

**MAJORITY recommendation: Do pass with the following amendments:**

**Beginning on page 1, line 6 strike everything after the enacting clause and insert the following:**

**\*NEW SECTION.** Section 1. It is the intent of the legislature that the methodology used in the equalization of property values for the purposes of the state levy, public utility assessment, and other purposes, shall be designed to ensure uniformity and equity in taxation throughout the state to the maximum extent possible.

It is the purpose of this 1977 amendatory act to provide certain guidelines for the determination of the ratio of assessed value to the full true and fair value of the general property in each county.

Sec. 2. Section 42, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.130 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

- (1) Appeals taken pursuant to RCW 82.03.190.
- (2) Appeals from a county board of equalization pursuant to RCW 84.08.130.
- (3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, the right to such an appeal being hereby established.
- (4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, the right to such appeal being hereby established.

(5) Appeals by an assessor from a determination of any county indicated ratio for such county compiled by the department of revenue pursuant to section 3 of this amendatory act: PROVIDED, That

(a) Said appeal be filed after review of the ratio by the assessor with the department of revenue and upon or before August 11th; and

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

**NEW SECTION.** Sec. 3. There is added to chapter 84.48 RCW a new section to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in August, determine the indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, may be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) Prior to equalization of assessments pursuant to RCW 84.48.080, but no later than August 1st, the department shall submit its findings or preliminary findings to each of the county assessors allowing a reasonable time for review by the assessor."

On page 1, line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 42, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.130; and adding a new section to chapter 84.48 RCW."

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Erickson, Flanagan, Hurley (George), Kilbury, O'Brien, Winsley.

To Committee on Rules for second reading.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## SECOND READING

ENGROSSED SENATE BILL NO. 2472, by Senators Bottiger, Guess and Bausch:

Changing the law on recreational vehicles.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 56th Day ex. sess., May 5, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Sherman:

On page 16, beginning at line 24 insert a new subsection as follows:

"(2) The interagency committee shall require that each applicant conduct a public hearing in the nearest town of five hundred population or more, and publish notice of such hearing on the same day of each week for two consecutive weeks in a newspaper of general circulation in the county or counties where the property which is subject of the proposed facility is located prior to the submission of its application. A written notice and a magnetic tape recording of such hearings shall be included in the application to the committee."

Renumber the remaining subsection consecutively.

Representatives Barnes and Conner spoke in favor of the amendment, and it was adopted.

On motion of Mr. Barnes, the following amendment by Representatives Barnes and Sherman was adopted:

On page 18, line 12 after "subsections (1)" strike "through" and insert "((through)) , (2), (3) and"

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2472 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "What is the actual fund transfer? How much money are you talking about that is actually being moved from one hand of this to the other in terms of recreational trails?"

Mr. Conner: "As I understand it, presently there is no statutory authority relative to the use of these funds, so this bill would allow for project funding on off-road facilities, some important recreation programs, as well as attempting to come up with some type of mileage control program. As I say, the port council and the ATV Association, Department of Natural Resources are in agreement with this."

Mr. Zimmerman: "With the change we adopted a few minutes ago with the Barnes' amendment, striking the urban trails—was that discussed with the various groups that had come in on this particular bill earlier? Had this had any discussion?"

Mr. Conner: "Yes, it did. At the time there was a package of three amendments and Representative Barnes agreed to drop one that was objectionable and put the other two on the floor."

Mr. Zimmerman spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2472 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 5; not voting, 6.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Chandler, Oliver, Pardini.

Not voting: Representatives Erickson, Fancher, Knedlik, Leckenby, Owen, Sanders.

Engrossed Senate Bill No. 2472 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. 2042, by Senators Talley, Beck, Peterson, Murray, Sellar and Bottiger:

Changing the requirements for a pilot's license.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 53rd Day ex. sess., May 2, 1977.)

On motion of Mr. Conner, the committee amendments to page 2 and page 3 were adopted.

Mr. Conner moved adoption of the committee amendment to page 8, line 19.

Mr. Conner spoke in favor of the amendment, and Representatives Nelson (Dick), Bond and May spoke against it.

Mr. Hawkins demanded an electric roll call, and the demand was sustained.

Mr. Conner spoke again in favor of the committee amendment.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Ehlers.

Mr. Ehlers: "Do I understand you to say, Representative Conner, that once those people get their license there is no continuing recheck, either physical on alertness, or physical condition, hearing, sight, other types of psychological or personal problems, alcoholism, or anything else? This is a one-time licensing and that's it?"

Mr. Conner: "Yes, that's it. They do have written examinations and are required to keep up with the rules and regulations of the pilotage commission. I think that up until four years ago no one realized that this particular board was under the state agency, and that we, as a state, had granted a monopoly to these individuals, and they were operating in their own sphere. As a result we have legislation before us now in which the Legislature is attempting to determine the policy relative to the regulation of pilots in this state."

Representatives Pruitt and Charnley spoke against the committee amendment.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (Dick): "What I am wondering is, on page 9, line 18 of this bill, it says that pilot applicants shall be subject to an annual physical examination. I guess I'm confused. I read that to mean that the examination is given to an applicant who passes every year."

The Speaker (Mr. O'Brien presiding): "That question doesn't fall within a point of parliamentary inquiry."

## MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2042 was deferred, and the bill was ordered placed on the calendar following Senate Joint Resolution No. 108.

ENGROSSED SENATE BILL NO. 2512, by Senators von Reichbauer, Ridder and Murray:

Giving preference to the acquisition of historical landmarks for public needs.

The bill was read the second time.

Mr. Taller moved adoption of the following amendment by Representatives Taller, Ehlers, Nelson (Gary), Walk and Burns:

On page 1, line 5 after "Section 1." strike the remainder of the bill and insert "There is added to chapter 43.82 RCW a new section to read as follows:

Before the director of the department of general administration shall purchase, lease, or rent any real estate, improved or unimproved, for any offices, warehouses or similar purposes as may be required within a defined geographic area by any state official, department, commission, institution or other state agency, the director shall request that, within thirty days, the state conservator identify in writing any existing buildings or structures within such geographic area that are designated or eligible for designation on the state or national registers of historic places as historic, architectural, or cultural landmarks and that would be suitable, whether or not in need of repair or alteration, for use therefor. The director shall give preference to the purchase, lease, or rent of such historic, architectural, or cultural landmarks, or portion thereof, which meet the specifications needed for the particular state purpose unless use of such space would not be feasible and prudent compared with available alternatives. Whenever the director shall purchase, lease, or rent a building or structure, or portion thereof, other than buildings or structures identified by the conservator as historic, architectural, or cultural landmarks suitable for state use, the director shall notify the conservator in writing of the economic and other justifications for not purchasing, leasing or renting such buildings or structures or portions thereof. Nothing in this section shall preclude the director from purchasing, leasing, or renting any improved or unimproved real estate which the director deems suitable for state use. 'State conservator' for the purposes of this section is the state official or agency responsible for the historic preservation program of the state of Washington."

Representatives Taller and Hurley (Margaret) spoke in favor of the amendment, and it was adopted.

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

On page 1, line 2 of the title after "RCW" strike all the material down through "section" on line 3.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2512 as amended by the House was placed on final passage.

Representative Hurley (Margaret) spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2512 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Ehlers, Embody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Clemente, Dunlap, Erickson, Fancher, Leckenby, Owen, Sanders, Wilson.

Engrossed Senate Bill No. 2512 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. 2160, by Senators McDermott, Gould, Francis and Hayner (by Superintendent of Public Instruction request):

Authorizing certain contracts for school districts and educational service districts.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 54th Day ex. sess., May 3, 1977.)

Mr. Heck moved adoption of the committee amendments.

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Patterson.

Mr. Patterson: "I question whether or not this would have any affect on the ability of a school district, for example, to contract with a local public transit system for the movement of school children rather than purchasing their own buses. In other words, would this preclude that opportunity if a school district wanted to use the public transportation system?"

Mr. Heck: "It is my understanding that it would not. I will yield to Representative Warnke if this needs to be clarified, but I do not think that it would have that effect."

Mr. Warnke: "No, Representative Patterson, the City of Seattle now uses Seattle Transit, the City of Spokane has used some transit and Metro has been used. This is not speaking to that at all."

Mr. Patterson: "They could still contract and lease over a long period of time to use public transportation?"

Mr. Warnke: "And they do, and they furnish the funds for the students to ride on the public transportation system."

The committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2160 as amended by the House was placed on final passage.

Representatives Heck and Craswell spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2160 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Zimmerman.

Not voting: Representatives Clemente, Erickson, Fancher, Leckenby, Owen, Sanders.

Engrossed Senate Bill No. 2160 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. 2558, by Committee on State Government (Originally sponsored by Senators von Reichbauer, Ridder, Van Hollebeke, Woody, Buffington, Odegaard, Matson, Bluechel and Jones - by Governor Ray request):

Renaming the department of motor vehicles.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2558 was placed on final passage.

Representative Ehlers spoke in favor of passage of the bill, and Representatives Struthers and Taller spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2558, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 43; not voting, 7.

Voting yea: Representatives Becker, Bender, Charette, Douthwaite, Dunlap, Ehlers, Enbody, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, Moreau, Nelson D., North, O'Brien, Paris, Polk, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Conner, Craswell, Deccio, Eng, Erak, Fischer, Flanagan, Fuller, Gilleland, Greengo, Haley, Hurley G. S., Knedlik, Martinis, McKibbin, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Pearsall, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Warnke, Wilson, Zimmerman.

Not voting: Representatives Clemente, Erickson, Fancher, Leckenby, Owen, Sanders, Whiteside.

Substitute Senate Bill No. 2558, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Martinis, having voted on the prevailing side, moved that the House reconsider the vote by which Substitute Senate Bill No. 2558 failed to pass the House.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which Substitute Senate Bill No. 2558 failed to pass the House, and the motion was carried by the following vote: Yeas, 51; nays, 40; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Charette, Douthwaite, Ehlers, Enbody, Eng, Flanagan, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, North, O'Brien, Pearsall, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Blair, Bond, Burns, Chandler, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Erak, Fischer, Fuller, Gaines, Gilleland, Greengo, Haley, Hurley G. S., McKibbin, Nelson D., Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Warnke, Wilson, Zimmerman.

Not voting: Representatives Clemente, Erickson, Fancher, Leckenby, Owen, Sanders, Whiteside.

#### MOTION

On motion of Mr. King, further consideration of Substitute Senate Bill No. 2558 was deferred, and the bill was ordered placed at the top of Tuesday's third reading calendar, May 31, 1977.

SENATE JOINT RESOLUTION NO. 108, by Senators Pullen, von Reichbauer, Ridder, Washington, Sellar, McDermott, Morrison, Benitz, Beck, Lewis, Guess, Goltz, Francis, Wilson, North, Mardesich, Henry, Van Hollebeke, Murray and Jones:

Amending the Constitution to permit legislators to hold a civil office notwithstanding that he served in a legislature which increased the emoluments thereof so long as the emoluments he receives are at the level designated prior to the increase.

The resolution was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 55th Day ex. sess., May 4, 1977.)

On motion of Mr. Hawkins, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 108 was placed on final passage.

Representatives Fortson and Hawkins spoke in favor of the resolution, and Representatives Pardini, Blair and Greengo spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 108 as amended by the House, and the resolution failed to pass the House by the following vote: Yeas, 58; nays, 30; not voting, 10.

Voting yea: Representatives Adams, Barnes, Bauer, Berentson, Blair, Bond, Burns, Chandler, Conner, Douthwaite, Ehlers, Fischer, Flanagan, Fortson, Fuller, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lysen, Martinis, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, O'Brien, Pardini, Pearsall, Polk, Salatino,



Sherman, Shinpoch, Smith, Sommers, Struthers, Tilly, Valle, Vrooman, Walk, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Bender, Charette, Charnley, Clayton, Craswell, Deccio, Dunlap, Eng, Erak, Gaines, Gilleland, Greengo, Hurley G. S., King, Lee, Lux, Maxie, McKibbin, North, Oliver, Paris, Patterson, Schmittin, Shinoda, Taller, Thompson, Warnke.

Not voting: Representatives Boldt, Clemente, Enbody, Erickson, Fancher, Leckenby, Owen, Pruitt, Sanders, Whiteside.

Senate Joint Resolution No. 108, having failed to receive the constitutional two-thirds majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House reconsider the vote by which Senate Joint Resolution No. 108 as amended by the House failed to pass the House.

The motion was carried.

#### MOTION

Mr. King moved that further consideration of Senate Joint Resolution No. 108 as amended by the House be deferred and that the resolution be placed at the bottom of Wednesday's calendar, June 1, 1977.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "We have before this body a concurrent resolution which closes this place down on Monday and the motion is for Wednesday."

The Speaker (Mr. O'Brien presiding): "What is the point of parliamentary procedure on which you would like to have me rule?"

Mr. Pardini: "Well, I am suggesting that Representative King's motion is out of order. It should not be placed before the body and the Chair should so rule and let's vote on it again today."

The Speaker (Mr. O'Brien presiding): "Representative Pardini, I don't think your point of order is one that the Speaker should decide at this time. Would you like to speak against the motion to defer the resolution?"

Mr. Pardini: "Maybe you could rule on it next Wednesday or Friday—whenever."

The Speaker (Mr. O'Brien presiding): "We'll take care of it when the time comes."

The motion was carried.

#### ENGROSSED SENATE BILL NO. 2042:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment to page 8, line 19.

Mr. Conner spoke against adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the Committee on Transportation amendment to page 8, line 19 of Engrossed Senate Bill No. 2042, and the amendment was not adopted by the following vote: Yeas, 4; nays, 87; not voting, 7.

Voting yea: Representatives Gilleland, Hurley M., Pardini, Winsley.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmittin, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Clemente, Erickson, Fancher, Leckenby, Owen, Sanders, Whiteside.

On motion of Mr. Conner, the balance of the committee amendments were adopted.

Mr. Conner moved adoption of the following amendment:

On page 2 of the printed engrossed bill beginning on line 15 strike all the material down to and including "board," on line 4, page 4, and insert the following:

\*Sec. 2. Section 1, chapter 18, Laws of 1935 as last amended by section 73, chapter ... (ESSB 2924), Laws of 1977 1st ex. sess. and RCW 88.16.010 are each amended to read as follows:

(1) The board of pilotage commissioners of the state of Washington is hereby created and shall consist of the secretary of transportation of the state of Washington, or the secretary's designee who shall be an employee of the department of transportation, who shall be ~~((chairman of the board, and of four))~~ chairperson, and six members appointed by the governor and confirmed by the senate. Each of said appointed members shall be appointed for a term of four years from the date of ~~((his))~~ said member's commission. No person shall be eligible for appointment to said board unless that person is at the time of appointment eighteen years of age or over and a citizen of the United States and of the state of Washington. Two of said appointed commissioners shall be pilots licensed under this chapter and actively engaged in piloting upon the waters covered by this chapter for at least three years immediately preceding the time of ~~((their))~~ appointment. Two of said appointive commissioners shall be actively engaged in the ownership, operation, ~~((or))~~ and management of deep sea cargo and/or passenger carrying vessels for at least three years immediately preceding the time of ((their)) appointment. One of said ~~((shipping individuals))~~ commissioners shall be a representative of American and one of foreign shipping. The remaining appointed commissioners shall be persons interested in and concerned with pilotage, maritime safety, and marine affairs, with broad experience related to the maritime industry exclusive of experience as either a state licensed pilot or as a shipping representative.

(2) Pilotage commissioners holding commissions on the effective date of this 1977 amendatory act, shall continue to hold their office subject to reappointment by the governor and confirmation by the senate. The appointive commissioners shall hold office for the period for which they are appointed and until their successors are appointed and qualified, ((and)) except that the governor when first appointing commissioners after the effective date of this 1977 amendatory act, shall appoint the pilot representatives to terms of two and three years respectively, the shipping representatives to terms of two and three years respectively, and the remaining commissioners to terms of three and four years respectively. Any vacancy in an appointive position on the board shall be filled by the governor for a term of four years, subject to confirmation by the senate.

(3) Five members of the board shall constitute a quorum. All commissioners and the chairperson shall have a vote.

Sec. 3. Section 2, chapter 18, Laws of 1935 as last amended by section 74, chapter ... (ESSB 2924), Laws of 1977 1st ex. sess. and RCW 88.16.020 are each amended to read as follows:

The department of transportation of the state of Washington shall be the office of the board and all records of the board shall be kept in said office. Each pilotage commissioner shall receive the sum of ~~((twenty-five))~~ forty dollars per day for each day actually engaged in the conduct of the business of the board, together with travel expenses, in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, to be paid out of the pilotage account on vouchers approved by the chairman of said board.

The board is authorized to employ personnel, pursuant to chapter 41.06 RCW, as necessary to conduct the business of the board.

Mr. Smith moved adoption of the following amendments to the Conner amendment:

On page 1, line 18 strike "six" and insert "four"

On page 1, line 26 strike "Two" and insert "((Two)) One"

On page 1, line 27 strike "pilots" and insert "a pilot((s))"

On page 1, line 31 strike "Two" and insert "((Two)) One"

On page 1, beginning in line 36 strike "One of said" down through and including "shipping," on line 39 and insert "((One of)) The shipping ((individuals)) commissioner shall be a representative of American ~~((and one of foreign))~~ shipping."

On page 2 of the amendment, beginning on line 14 strike "representatives" down through and including "respectively," in line 16 and insert "representative to a term of two years, the shipping representative to a term of three years,"

On page 2, line 22 strike "Five" and insert "Three"

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I would like to ask your ruling on the expansion of the scope and object of the bill. Also, I think that these amendments are contained in another bill before this House."

The Speaker (Mr. O'Brien presiding): "Representative Newhouse, are you making your point of order on the Smith amendment to the Conner amendment?"

Mr. Newhouse: "I feel that it is appropriate at this time to raise the whole thing because we are expanding the scope and object of the bill."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): Representative Newhouse, it appears that the Smith amendment is within the scope and object of the bill. It changes the numbers on the

board and other matters pertaining to the composition of the board—how the board is constituted. The amendments are in order."

Mr. Smith spoke in favor of the amendments to the Conner amendment.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Clayton.

Mr. Clayton: "Are these the same amendments that were offered in committee?"

Mr. Smith: "No, Representative Clayton, they are not."

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Smith and Charnley to the Conner amendment to Engrossed Senate Bill No. 2042, and the amendments were adopted by the following vote: Yeas, 68; nays, 22; not voting, 8.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Conner, Douthwaite, Dunlap, Eng, Erak, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Haley, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pardini, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Vroqman, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Enbody, Flanagan, Gilleland, Greengo, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Schmitt, Shinoda, Struthers, Taller, Walk, Wilson.

Not voting: Representatives Clemente, Ehlers, Erickson, Fancher, Leckenby, Owen, Sanders, Whiteside.

The Conner amendment as amended was adopted.

On motion of Mr. Nelson (Dick), the following amendment by Representatives Nelson (Dick), Conner and Charnley was adopted:

On page 9, line 18 after "(6)" strike "Pilot" and insert "All pilots and"

Mr. Smith moved adoption of the following amendment:

On page 10 after line 32 strike the remainder of the section and insert:

"(1) Upon completion of any assignment or accumulation of assignments which exceeds seven hours in duration including travel time, a pilot shall receive a rest period of not less than seven hours before commencing travel to the next assignment.

(2) For the purpose of completion of assignment, travel time shall be determined by the board of pilotage commissioners."

#### POINT OF ORDER

Mr. Newhouse: "This amendment is the subject matter of House Bill No. 673 which is before us. The next amendment is the subject matter of House Bill No. 672 exactly, which is also before us."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The two bills that you are citing pertaining to this subject matter are now in the Senate. One is in the Senate Rules Committee and one is in the Senate Transportation Committee, therefore, the bills are not before the House. The amendments are in order."

#### POINT OF ORDER

Mr. Newhouse: "Would you then rule as to whether they expand the scope and object of the bill?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Newhouse, it appears that the whole subject matter of Engrossed Senate Bill No. 2042 pertains to rules and regulations pertaining to pilots, and these two amendments fill that category. I will rule the amendments are within the scope and object of the bill."

Representatives Smith, Kilbury and Charnley spoke in favor of the amendment, and Representatives Newhouse, Douthwaite, Berentson and Clayton spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith to page 10 of Engrossed Senate Bill No. 2042, and the amendment was not adopted by the following vote: Yeas, 43; nays, 46; not voting, 9.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Conner, Ehlers, Enbody, Fischer, Fortson, Gaines, Grimm, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Martinis, Maxie, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sherman, Shipoch, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hanna, Hansen, Lee, Lysen, May, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Schmitten, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Walk, Wilson, Winsley, Zimmerman.

Not voting: Representatives Clemente, Erak, Erickson, Fancher, Knowles, Leckenby, Lux, Sanders, Whiteside.

## MOTION FOR RECONSIDERATION

Mr. Smith moved that the House reconsider the vote by which the amendment to page 10 of Engrossed Senate Bill No. 2042 was not adopted.

Representatives Smith and Charnley spoke in favor of the motion, and Representatives Douthwaite and Berentson spoke against it.

## POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Fischer.

Mr. Fischer: "Do ferry boat officers have mandatory time off?"

Mr. Smith: "That is an excellent question, Representative Fischer, that goes right to the issue. The USCG, which is not controlled by ferry officers or officers of any ship, does indeed require a rest period provision. Pilots are the only marine officials or officers that do not have that requirement in the state of Washington."

Mr. Barnes spoke against the motion to reconsider.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendment to page 10 of Engrossed Senate Bill No. 2042 failed to pass the House, and the motion was lost by the following vote: Yeas, 40; nays, 50; not voting, 8.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Ehlers, Enbody, Erak, Fischer, Fortson, Grimm, Hanna, Hawkins, Heck, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Maxie, McKibbin, Moreau, Nelson D., North, O'Brien, Pruitt, Salatino, Sherman, Shipoch, Smith, Thompson, Valle, Walk, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Conner, Craswell, Deccio, Douthwaite, Eng, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Haley, Hansen, Hughes, Hurley M., Keller, Knowles, Lee, Martinis, May, McCormick, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Schmitten, Shinoda, Sommers, Struthers, Taller, Tilly, Vrooman, Warnke, Wilson, Winsley, Zimmerman.

Not voting: Representatives Clemente, Dunlap, Erickson, Fancher, Leckenby, Sanders, Whiteside, and Mr. Speaker.

Mr. Smith moved adoption of the following amendment:

On page 11, after line 10 strike the remainder of the section and insert:

"The initial license issued by the board to a pilot who has successfully completed his examination shall not authorize such pilot to perform pilotage services for any vessel on waters subject to the authority of this chapter on any vessel of a size of twenty-five thousand tons deadweight or more for the first two-year period that such licensee becomes an active pilot and such license shall contain a written limitation which shall provide that the named licensee is not authorized to engage in the pilotage of any vessel of a size of twenty-five thousand tons deadweight or more on any waters of the state subject to the authority of the provisions of this chapter. The date of the commencement and expiration of such two-year period of limitation shall be endorsed upon such initial license."

Representatives Smith and Charnley spoke in favor of the amendment, and Representatives Patterson and Clayton spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith to page 11 of Engrossed Senate Bill No. 2042, and the amendment was adopted by the following vote: Yeas, 49; nays, 40; not voting, 9.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Conner, Dunlap, Ehlers, Erak, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Warnke, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Douthwaite, Enbody, Eng, Flanagan, Fuller, Gilleland, Greengo, Gruger, Haley, Hansen, Hughes, Keller, Lee, Martinis, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Schmitt, Shinoda, Struthers, Taller, Tilly, Vrooman, Walk, Wilson, Winsley, Zimmerman.

Not voting: Representatives Clemente, Erickson, Fancher, Leckenby, McCormick, Sanders, Sommers, Whiteside, and Mr. Speaker.

Mr. Conner moved adoption of the following amendment:

On page 15, line 13 add a new section as follows:

**NEW SECTION.** Sec. 16. There is added to chapter 88.16 RCW a new section to read as follows:

Any oil tanker which does not comply with the federal provisions to have on board copies of current and accurate navigational charts for the waters through which and to which it is bound shall, within twenty miles of Port Angeles, notify the pilot station of the failure to have on board such charts. If the vessel was built prior to 1960 or is over forty thousand deadweight tons, a pilot shall be required before the vessel approaches ten miles west of Port Angeles. The board of pilotage commissioners shall establish a special tariff and charge for charts taken aboard vessels by pilots and for the extra services of a pilot required by this section.

**NEW SECTION.** Sec. 17. There is added to chapter 88.16 RCW a new section to read as follows:

Vessels carrying crude oil or refined petroleum products, which are over forty thousand deadweight tons or were built before 1960 shall have towboats tied up and in tow of said vessel, said vessel to be also under its own power, in any waters which are less than one mile in width or ten fathoms in depth, or both.

**NEW SECTION.** Sec. 18. There is added to chapter 88.16 RCW a new section to read as follows:

Any vessels designed for the purpose of carrying liquefied propane or natural gas as its cargo shall adhere to RCW 88.16.190(2) as though it were an oil tanker.

**NEW SECTION.** Sec. 19. There is added to chapter 88.16 RCW a new section to read as follows:

The board of pilotage commissioners, in concert with the department of ecology, shall design a course of instruction for state licensed pilots which will instruct the pilots in detection of faulty loading and offloading equipment used in the transfer of bulk petroleum products or crude oil transfers. The department of ecology may utilize persons presently employed whose function is to inspect oil transfer facilities to instruct the programs.

The board shall, for each pilot who completes the course, endorse the pilot's license issued by the board with the date of instruction and 'Oil Transfer Facility Inspection Certificate.' Pilots shall be required to maintain this certificate from time to time as determined by the board. All pilots licensed by the state shall have completed this course of instruction no later than January, 1979 in order to keep their licenses current and valid."

Renumber the remaining sections consecutively.

Mr. Douthwaite moved adoption of the following amendment to the Conner amendment:

In section 17, line 4 strike "waters" and insert "waterways"

Representatives Douthwaite and Kilbury spoke in favor of the amendment to the amendment, and it was adopted.

Representatives Conner and Charnley spoke in favor of the amendment as amended, and Mr. Newhouse spoke against it.

## MOTION

Mr. Chandler moved that the question be divided, and that each section be considered separately.

## ROLL CALL

The Clerk called the roll on the motion to divide the question and consider each section of the amendment by Representative Conner as amended separately, and the motion was lost by the following vote: Yeas, 33; nays, 52; not voting, 13.

Voting yea: Representatives Barnes, Barr, Blair, Bond, Burns, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Enbody, Erak, Fuller, Gaines, Gilleland, Haley, Hurley M., Knedlik, Lee, Nelson D., O'Brien, Oliver, Pardini, Polk, Salatino, Shinoda, Sommers, Taller, Thompson, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Berentson, Boldt, Charette, Clayton, Conner, Craswell, Ehlers, Eng, Fischer, Flanagan, Fortson, Gallagher, Greengo, Grier, Grimm, Gruger,

Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, Patterson, Pearsall, Pruitt, Schmitten, Sherman, Shipoch, Smith, Tilly, Valle, Williams, Wilson, Zimmerman.

Not voting: Representatives Bender, Clemente, Erickson, Fancher, Hurley G. S., Leckenby, Moreau, Owen, Paris, Sanders, Struthers, Whiteside, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Conner as amended.

Representatives Martinis, Conner and Douthwaite spoke in favor of the amendment as amended, and Representatives Greengo, Chandler and Dunlap spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Conner as amended to Engrossed Senate Bill No. 2042, and the amendment was adopted by the following vote: Yeas, 61; nays, 31; not voting, 6.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fischer, Flanagan, Fuller, Gilleland, Greengo, Haley, Lee, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitten, Shinoda, Struthers, Taller, Tilly, Wilson, Winsley.

Not voting: Representatives Clemente, Erickson, Fancher, Leckenby, Sanders, Whiteside.

#### MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 2042 was deferred, and the bill was ordered held for Tuesday's second reading calendar, May 31, 1977.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SUBSTITUTE SENATE BILL NO. 2113,  
 SUBSTITUTE SENATE BILL NO. 2197,  
                                   SENATE BILL NO. 2199,  
 SUBSTITUTE SENATE BILL NO. 2210,  
 SUBSTITUTE SENATE BILL NO. 2858,  
                                   SENATE BILL NO. 2990,  
 SUBSTITUTE SENATE BILL NO. 3093.

#### POINT OF PERSONAL PRIVILEGE

Mr. Smith: "Sometimes confusion occurs out here on the floor, and when we began debate on Engrossed Senate Bill No. 2042, and my amendments that changed the composition of the board where there were several amendments in that first amendment, I was asked a question on the floor by Representative Clayton whether that was the amendment that was offered to the committee. In reference to that first series of amendments that changed the composition of the board, I said no, they were not offered in committee. The other two amendments to pages 10 and 11 were, but I understood his question to be only to the first series of amendments."

#### MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Tuesday, May 31, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 31, 1977.

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 Boldt, Haley, Leckenby, Oliver and Struthers who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Zoe Bovard and Dave Teigen. Prayer was offered by Reverend Wallace Misterek of Trinity Lutheran Church of Olympia.

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

## MESSAGE FROM THE GOVERNOR

May 28, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 28, 1977, Governor Ray approved the following House bills entitled:

SECOND SUBSTITUTE HOUSE BILL NO. 24: Authorizing a deduction for value of certain products added by minor final assembly from the business and occupation tax.

SUBSTITUTE HOUSE BILL NO. 161: Liberalizing the mutual savings bank law.

SUBSTITUTE HOUSE BILL NO. 267: Modifying the law on the acquisition and disposition of public lands for state highways.

HOUSE BILL NO. 298: Extending forest patrol assessments to public bodies.

SUBSTITUTE HOUSE BILL NO. 314: Authorizing pharmacy assistants and providing for their regulation.

SUBSTITUTE HOUSE BILL NO. 327: Providing for the certification and regulation of operators of public water supply systems.

HOUSE BILL NO. 376: Removing requirement that ocean fishing regulations for Washington be made jointly with Oregon and California.

SUBSTITUTE HOUSE BILL NO. 440: Modifying the homestead exemption.

SUBSTITUTE HOUSE BILL NO. 675: Abolishing pay toilets and requiring certain places of public accommodation to have free public toilet facilities.

HOUSE BILL NO. 683: Modifying the insurance law on fraternal benefit societies.

HOUSE BILL NO. 691: Revising the liability of a public depository.

HOUSE BILL NO. 927: Exempting community college district employees working outside states' boundaries from higher education personnel law.

Sincerely,  
Joe Zaspel, Legislative Assistant.

## MESSAGES FROM THE SENATE

May 28, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 340,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 28, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3105,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 28, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 122,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 28, 1977

Mr. Speaker:

The President has made the following change in the Conference Committee on SUBSTITUTE HOUSE BILL NO. 183: Senator Francis will replace Senator Bottiger.

Sidney R. Snyder, Secretary.

May 28, 1977

Mr. Speaker:

The President has made the following change in the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 353: Senator Francis will replace Senator Fleming.

Sidney R. Snyder, Secretary.

May 28, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2873, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 28, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3036, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 150,  
 HOUSE BILL NO. 338,  
 HOUSE BILL NO. 382,  
 SUBSTITUTE HOUSE BILL NO. 387,  
 HOUSE BILL NO. 438,  
 HOUSE BILL NO. 1260,  
 HOUSE BILL NO. 1262,  
 HOUSE BILL NO. 1263,  
 SUBSTITUTE HOUSE BILL NO. 1266,  
 HOUSE JOINT RESOLUTION NO. 55,  
 HOUSE JOINT RESOLUTION NO. 56,  
 HOUSE JOINT RESOLUTION NO. 57.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

May 26, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 70 with the following amendments:

On page 1, beginning on line 27 strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. The legislature hereby finds that the promotion, enhancement, perpetuation, and use of structures, sites, districts, buildings, and objects of historic, archaeological, architectural, and



cultural significance is desirable in the interest of the public pride and general welfare of the people of the state; and the legislature further finds that the economic, cultural, and aesthetic standing of the state can be maintained and enhanced by protecting the heritage of the state and by preventing the destruction or defacement of these assets; therefore, it is hereby declared by the legislature to be the public policy and in the public interest of the state to designate, preserve, protect, enhance, and perpetuate those structures, sites, districts, buildings, and objects which reflect outstanding elements of the state's historic, archaeological, architectural, or cultural heritage, for the inspiration and enrichment of the citizens of the state.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) 'Project' means programs leading to the preservation for public benefit of historical properties, whether by state and local governments or other public bodies, or private organizations or individuals, including the acquisition of title or interests in, and the development of, any district, site, building, structure, or object that is significant in American and Washington state history, architecture, archaeology, or culture, and property used in connection therewith, or for its development.

(2) 'Historic preservation' includes the protection, rehabilitation, restoration, identification, scientific excavation, and reconstruction of districts, sites, buildings, structures, and objects significant in American and Washington state history, architecture, archaeology, or culture.

(3) 'Preservation officer' means the state historic preservation officer as provided for in section 4 of this 1977 amendatory act, as now or hereafter amended.

(4) 'Office' means the office of archaeology and historic preservation as created in section 3 of this 1977 amendatory act, as now or hereafter amended.

(5) 'Department' means the department of parks and recreation.

(6) 'Federal act' means the national historic preservation act of 1966 (Public Law 89-655; 80 Stat. 915).

(7) 'Council' means the advisory council on historic preservation.

**NEW SECTION.** Sec. 3. There is hereby established the office of archaeology and historic preservation. All powers, duties, and functions relating to the office vested in the parks and recreation commission and the director of parks and recreation are transferred to the office.

**NEW SECTION.** Sec. 4. The governor shall appoint the preservation officer, with the consent of the senate, and set the salary for the position. The preservation officer shall have a background in program administration, an active involvement in historic preservation, and a knowledge of the national, state, and local preservation programs as they affect the state of Washington.

**NEW SECTION.** Sec. 5. The preservation officer shall employ such personnel and prescribe their duties as may be necessary to implement the purposes of this chapter. In addition to the preservation officer, there shall be a chief of archaeology and historic preservation, and a minimum professional staff consisting of an architect, archaeologist, historian, and architectural historian shall be employed to meet the federal requirements for funding of the preservation program. The preservation officer shall delegate to the professional staff such functions, powers, and duties necessary to implement the purposes of this chapter. All employees presently employed exclusively or principally in the office shall remain employees subject to the discretion of the preservation officer. All employees shall be governed by the provisions of chapter 41.06 RCW.

**NEW SECTION.** Sec. 6. The preservation officer shall supervise and administer the activities of the office. The preservation officer is authorized:

(1) To promulgate and maintain a state register of districts, sites, buildings, structures, and objects significant in American or Washington state history, architecture, archaeology, and culture, and to prepare comprehensive state-wide historic surveys and plans and research and evaluation of surveyed resources for the preparation of nominations to the state and national registers of historic places, in accordance with criteria approved by the advisory council established pursuant to section 9 of this 1977 amendatory act. The nominations shall comply with any standards and regulations promulgated by the United States secretary of the interior for the preservation, acquisition, and development of such properties.

(2) To establish a program of matching grants-in-aid to public agencies, public or private organizations, or individuals for projects having as their purpose the preservation for public benefit of properties that are significant in American or Washington state history, architecture, archaeology, and culture.

(3) To promote historic preservation efforts throughout the state, including private efforts and those of city, county, and state agencies.

(4) To enhance the effectiveness of the state preservation program through the initiation of legislation, the use of varied funding sources, the creation of special purpose programs, and contact with state, county, and city officials, civic groups, and professionals.

(5) To consult with the governor and the legislature on issues relating to the conservation of the man-made environment and their impact on the well-being of the state and its citizens. The office shall submit periodic reports of its activities to the governor and the legislature.

(6) To adopt such rules, in accordance with chapter 34.04 RCW, as are necessary to carry out the provisions of this 1977 amendatory act.

**NEW SECTION.** Sec. 7. The preservation officer is empowered to (1) maintain and administer all funds appropriated by the legislature to the office for the purpose of carrying out the duties, functions, and responsibilities of the office under both state and federal law, and (2) to receive, administer, and disburse such gifts, grants, and endowments from private sources as may be made from time to time in trust or otherwise for the purposes of this 1977 amendatory act or the federal act, as now or hereafter amended.

NEW SECTION, Sec. 8. The amounts made available for grants to the public agencies, public or private organizations, or individuals for projects for each fiscal year shall be apportioned among program applicants by the preservation officer in accordance with needs as contained in state-wide archaeology and historic preservation plans developed by the office and approved by the governor.

NEW SECTION, Sec. 9. (1) There is hereby established an advisory council on historic preservation, which shall be composed of nine members appointed by the governor as follows:

(a) The director of a state historical society or the director's designee to be selected from (i) the director of the Washington state historical society, (ii) the director of the Eastern Washington state historical society, and (iii) the director of the state capitol historical society, to each serve on the council for one year on a rotating basis, the order of rotation to be determined by the governor;

(b) Six members of the public who are interested and experienced in matters to be considered by the council including the fields of history, architecture, and archaeology;

(c) The director of the Washington archaeological research center or the director's designee; and

(d) A native American.

(2) Each member of the council appointed under subsection (1)(b) and (d) of this section shall serve a four year term: PROVIDED, That those members first appointed shall serve for terms of from one to four years as designated by the governor at the time of appointment, it being the purpose of this subsection to assure staggered terms of office.

(3) A vacancy in the council shall not affect its powers, but shall be filled in the same manner as the original appointment for the balance of the unexpired term.

(4) The chairperson of the council shall be designated by the governor.

(5) Five members of the council shall constitute a quorum.

(6) The council shall cease to exist on June 30, 1982, unless extended by law for an additional fixed period of time.

(7) The office shall provide administrative and financial service to the council.

NEW SECTION, Sec. 10. The council shall:

(1) Advise the governor and the office on matters relating to historic preservation; recommend measures to coordinate activities of state and local agencies, private institutions, and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities;

(2) Review and recommend nominations for the state and national registers of historic places to the preservation officer;

(3) Encourage public interest and participation in historic preservation;

(4) Provide advice and assistance to local governments in drafting ordinances relating to historic preservation;

(5) Encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation; and

(6) Perform the duties of the state review body as may be required by law so long as those duties do not exceed the limitations established by this 1977 amendatory act.

NEW SECTION, Sec. 11. The directors of the state historical societies shall serve as members of the council without additional compensation. All other members of the council shall be reimbursed for travel expenses incurred in the performance of the duties of the council in accordance with RCW 43.03.050 and 43.03.060, as now existing or hereafter amended.

Sec. 12. Section 2, chapter 134, Laws of 1975 1st ex. sess. as amended by section 1, chapter 82, Laws of 1975-76 2nd ex. sess. and RCW 27.53.020 are each amended to read as follows:

The ~~((location))~~ discovery, identification, excavation, and study of the state's archaeological resources, the providing of information on archaeological sites for their nomination to the state and national registers of historic places, the maintaining of a complete inventory of archaeological sites and collections, and the providing of information to state, federal, and private construction agencies regarding the possible impact of construction activities on the state's archaeological resources, are proper public functions; and the Washington archaeological research center, created under the authority of chapter 39.34 RCW as now existing or hereafter amended, is hereby designated as an appropriate agency to carry out these functions. The ~~((director of the state parks and recreation commission))~~ preservation officer, in consultation with the Washington archaeological research center, shall provide guidelines for the selection of depositories designated by the state for archaeological resources. The legislature directs that there shall be full cooperation amongst the office ~~((of archaeology and historic preservation))~~, the Washington archaeological research center, and other agencies of the state.

Sec. 13. Section 3, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) 'Archaeology' means systematic, scientific study of man's past through his material remains.

(2) 'Historic' means peoples and cultures who are known through written documents in their own or other languages.

(3) 'Prehistoric' means peoples and cultures who are unknown through contemporaneous written documents in any language.

(4) 'Professional archaeologist' means a person who has ~~((extensive formal training and experience in systematic, scientific archaeology as defined in subsection (1) of this section, and who makes his or her living primarily through research in, teaching of, and/or publication on archaeology, and who is so recognized by~~

members of the profession of archaeology through his or her participation in the activities of professional organizations of archaeologists)) met the educational, training, and experience requirements of the society of professional archaeologists.

(5) 'Qualified archaeologist' means a person who has had formal training and/or experience in archaeology over a period of at least three years, and has been certified in writing to be a qualified archaeologist by two professional archaeologists.

(6) 'Amateur society' means any organization composed primarily of persons who are not professional archaeologists, whose primary interest is in the archaeological resources of the state, and which has been certified in writing by two professional archaeologists.

(7) 'Preservation officer' means the state historic preservation officer as provided for in section 4 of this 1977 amendatory act.

(8) 'Office' means the office of archaeology and historic preservation.

Sec. 14. Section 6, chapter 134, Laws of 1975 1st ex. sess. as amended by section 2, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.060 are each amended to read as follows:

On the private and public lands of this state it shall be unlawful for any person, firm, corporation, or any agency or institution of the state or a political subdivision thereof to ~~((wittingly))~~ knowingly alter, dig into, or excavate by use of any mechanical, hydraulic, or other means, or to damage, deface, or destroy any historic or prehistoric archaeological resource or site, American Indian or aboriginal camp site, dwelling site, rock shelter, cave dwelling site, storage site, grave, burial site, or skeletal remains and grave goods, cairn, or tool making site, or to remove from any such land, site, or area, grave, burial site, cave, rock shelter, or cairn, any skeletal remains, artifact or implement of stone, bone, wood, or any other material, including, but not limited to, projectile points, arrowheads, knives, awls, scrapers, beads or ornaments, basketry, matting, mauls, pestles, grinding stones, rock carvings or paintings, or any other artifacts or implements, or portions or fragments thereof without having obtained written permission from the ~~((director of the state parks and recreation commission))~~ preservation officer for such activities on public property or from the private landowner for such activities on private land. A private landowner may request the ~~((director of the state parks and recreation commission))~~ preservation officer to assume the duty of issuing such permits. The ~~((director))~~ preservation officer must obtain the consent of the public property owner or agency responsible for the management thereof, prior to issuance of the permit. The ~~((director of the state parks and recreation commission))~~ preservation officer, in consultation with the Washington state archaeological research center, shall develop guidelines for the issuance and processing of such permits. Such written permission shall be physically present while any such activity is being conducted. The provisions of this section shall not apply to the removal of artifacts found exposed on the surface of the ground nor to the excavation and removal of artifacts from state owned shorelands below the line of ordinary high water ~~((and from state owned tidelands below the line of ordinary high tide:))~~ or within the intertidal zone.

Sec. 15. Section 8, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.080 are each amended to read as follows:

Qualified or professional archaeologists, in performance of their duties, are hereby authorized to enter upon public lands of the state of Washington and its political subdivisions, at such times and in such manner as not to interfere with the normal management thereof, for the purposes of doing archaeological resource location and evaluation studies, including site sampling activities. Scientific excavations are to be carried out only after appropriate agreement has been made between ~~((the))~~ a professional archaeologist or an institution of higher education and the agency or political subdivision responsible for such lands. Notice of such agreement shall be filed with the Washington archaeological research center and by them to the office ~~((of archaeological and historic preservation))~~. Amateur societies may engage in such activities by submitting and having approved by the responsible agency or political subdivision a written proposal detailing the scope and duration of the activity. Before approval, a proposal from an amateur society shall be submitted to the Washington archaeological research center for review and recommendation.

Sec. 16. Section 9, chapter 134, Laws of 1975 1st ex. sess. as amended by section 4, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.090 are each amended to read as follows:

Any person, firm, or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor. Each day of continued violation of any provision of this chapter shall constitute a distinct and separate offense. ~~((Violations))~~ Offenses shall be reported to the appropriate law enforcement agency or to the ~~((director of the state parks and recreation commission))~~ preservation officer.

**NEW SECTION.** Sec. 17. Prior to July 1, 1977:

(1) All reports, documents, surveys, books, records, files, and papers or other writings in the possession of the Washington state parks and recreation commission and pertaining to the functions affected by this 1977 amendatory act, shall be delivered to the custody of the preservation officer; and

(2) All funds, credits, appropriations, or other assets held in connection with the functions affected and transferred by this 1977 amendatory act shall be transferred to or assigned to the office: PROVIDED, That whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, the director of program planning and fiscal management, or the director's designee, shall make a determination as to the proper allocation and certify the same to the concerned state agencies. If apportionments of budgeted funds are required because of the transfers authorized, the director of program planning and fiscal management shall certify such apportionments to the agencies affected, the state auditor, and the state treasurer. Each agency shall make the appropriate transfer and adjustments in funds and appropriation accounts in accordance with such certification.

**NEW SECTION.** Sec. 18. Nothing in this 1977 amendatory act shall affect any existing rights acquired under the sections amended herein except as to the governmental agencies referred to and their officials and employees; nor shall any actions, activities, or proceedings validated thereunder, any civil or criminal proceedings instituted thereunder, or any rule, regulation, or order promulgated thereunder be affected. The transfer of powers, duties, and functions as provided herein shall not affect the validity of any act performed by the Washington state parks and recreation commission or any officer or employee thereof prior to the effective date of this 1977 amendatory act. Any action pending before the Washington state parks and recreation commission at the time of transfer and pertaining to matters transferred and affected by this 1977 amendatory act shall be continued to be acted upon by the office. All existing contracts and obligations pertaining to the functions herein transferred shall remain in full force and effect and shall be performed by the office.

**NEW SECTION.** Sec. 19. The office shall utilize the facilities and administrative support of the office of the governor.

**NEW SECTION:** Sec. 20. If any provision of this 1977 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.

**NEW SECTION.** Sec. 21. Sections 1 through 11 and 19 of this 1977 amendatory act shall be added to Title 43 RCW as a new chapter thereof.

**NEW SECTION.** Sec. 22. The following acts or parts of acts are hereby repealed:

- (1) Section 5, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.050;
- (2) Section 1, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.750;
- (3) Section 2, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.760;
- (4) Section 3, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.770;
- (5) Section 4, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.780;
- (6) Section 5, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.790;
- (7) Section 6, chapter 19, Laws of 1967 ex. sess., section 58, chapter 75, Laws of 1977 and RCW 43.51.800;
- (8) Section 7, chapter 19, Laws of 1967 ex. sess., section 117, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.810; and
- (9) Section 8, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.820."

On page 1, beginning on line 1 of the title after "government;" delete remainder of the title and insert "amending section 2, chapter 134, Laws of 1975 1st ex. sess. as amended by section 1, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.020; amending section 3, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.030; amending section 6, chapter 134, Laws of 1975 1st ex. sess. as amended by section 2, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.060; amending section 8, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.080; amending section 9, chapter 134, Laws of 1975 1st ex. sess. as amended by section 4, chapter 82, Laws of 1975-'76 2nd ex. sess. and RCW 27.53.090; adding a new chapter to Title 43 RCW; creating new sections; repealing section 5, chapter 134, Laws of 1975 1st ex. sess. and RCW 27.53.050; repealing section 1, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.750; repealing section 2, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.760; repealing section 3, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.770; repealing section 4, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.780; repealing section 5, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.790; repealing section 6, chapter 19, Laws of 1967 ex. sess., section 58, chapter 75, Laws of 1977 and RCW 43.51.800; repealing section 7, chapter 19, Laws of 1967 ex. sess., section 117, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.51.810; repealing section 8, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.820; and providing penalties."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Representative Ehlers, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 70.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 70 as amended by the Senate.

Representative Ehlers spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Hanna.

Mr. Hanna: "Will this take sixty-six votes?"

Mr. Ehlers: "No."

Representative Zimmerman spoke against passage of the bill and Mr. O'Brien spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 70 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 54; nays, 23; not voting, 21.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dunlap, Fancher, Flanagan, Gilleland, Greengo, Hurley M., Lee, May, Pardini, Patterson, Polk, Sanders, Shinoda, Taller, Whiteside, Zimmerman.

Not voting: Representatives Adams, Blair, Gaines, Gruger, Haley, Hurley G. S., Leckenby, Lux, Martinis, Moreau, Newhouse, Oliver, Owen, Paris, Schmitt, Smith, Struthers, Tilly, Valle, Vrooman, Winsley.

Engrossed Substitute House Bill No. 70 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 26, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 120 with the following amendments:

On page 5, line 1 after "including" strike "detail" and insert "general"

On page 5, line 34 insert a new subsection as follows:

"(h) Chairman, liquor board;"

Reletter remaining subsections consecutively.

On page 7, beginning on line 32 strike all matter down through "18.04.220;" on line 34 and insert:

"(7) Section 22, chapter 226, Laws of 1949, section 26, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.04.230;"

On page 8, beginning on line 34 strike all of section 10.

On page 1, line 11 of the title, after "18.04.210;" strike all matter down through "18.04.220;" on line 14 and insert "repealing section 22, chapter 226, Laws of 1949, section 26, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.04.230;"

On page 2, line 17 after "78.40.145;" insert "and" and on line 17 strike "making an appropriation;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Warnke, the House refused to concur in the Senate amendments to Substitute House Bill No. 120, and asked the Senate for a conference thereon.

## SENATE AMENDMENTS TO HOUSE BILL

May 26, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 286 with the following amendments:

On line 11 after the period following "animals" insert "Any agency so registered shall not permit a person to administer sodium pentobarbital unless such person has demonstrated adequate knowledge of the potential hazards and proper techniques to be used in administering this drug."

On line 14, strike "purpose" and insert "provisions"

On line 15 after the period following "section" insert "The board may suspend or revoke registration upon determination that the person administering sodium pentobarbital has not demonstrated adequate knowledge as herein provided. This authority is granted in addition to any other power to suspend or revoke registration as provided by law."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to House Bill No. 286.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 286 as amended by the Senate.

Mr. Kilbury spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 286 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 4; not voting, 12.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pardini, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Fischer, Newhouse, Patterson.

Not voting: Representatives Adams, Boldt, Clayton, Gaines, Haley, Leckenby, Oliver, Smith, Struthers, Taller, Tilly, Winsley.

House Bill No. 286 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 25, 1977

Mr. Speaker;

The Senate has passed HOUSE BILL NO. 417 with the following amendments:

On page 2, beginning on line 7 after "bingo" strike ", raffles and amusement games" and insert "(;)) and raffles (~~and amusement games~~)"

On page 2, beginning on line 10 after "prizes" strike all of the material down to and including "year" on line 18 and insert ". Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding five thousand dollars per year less the amount paid for as prizes" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Warnke the House concurred in the Senate amendments to House Bill No. 417.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 417 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 417 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 4; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Greengo, Paris.

Not voting: Representatives Berentson, Boldt, Bond, Gaines, Haley, Hawkins, Leckenby, Oliver, Polk, Struthers, Tilly, Zimmerman.

House Bill No. 417 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 26, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 649 with the following amendments:

On page 2, add a new section to read as follows:

"Sec. 2. Section 7, chapter 180, Laws of 1951 as last amended by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140 are each amended to read as follows:

Operator, manicurist, instructor operator, manager operator, shop, or school licenses may be renewed from year to year upon the payment on or before the first day of each July following their issuance, of a renewal fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

~~((A certificate of health is required with an application for an original license, one must also be filed with a renewal application.))~~

Any manicurist, operator, manager operator, or instructor operator whose license has lapsed may have the same renewed upon payment of all fees which the applicant would have been required to pay to keep such license in effect, and an additional fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended for each lapsed year: PROVIDED, That any person whose license has lapsed for more than three years shall be reexamined, as in the case of any applicant for an original license."

On line 1 of the title after the semicolon strike "and"; and on line 3 of the title, after "18.18.260" and before the period insert "; and amending section 7, chapter 180, Laws of 1951 as last amended by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Representative Warnke moved that the House do concur in the Senate amendments to House Bill No. 649.

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Warnke, does this Senate amendment remove the requirement that a cosmetologist has to have a health certificate?"

Mr. Warnke: "That's correct."

Mr. Charnley spoke against the motion to concur in the Senate amendments to House Bill No. 649, and Mr. Warnke spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to House Bill No. 649, and the motion was carried by the following vote: Yeas, 63; nays, 26; not voting, 9.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Berentson, Blair, Bond, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Enbody, Erak, Fancher, Flanagan, Fortson, Fuller, Gaines, Greengo, Grier, Gruger, Hanna, Hansen, Heck, Hughes, Keller, Kilbury, Knedlik, Knowles, Lee, Martinis, Maxie, McCormick, Moreau, Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Taller, Thompson, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bender, Burns, Charnley, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gallagher, Gilleland, Grimm, Hurley G. S., Hurley M., King, Kreidler, Lux, Lysen, May, Nelson D., Paris, Sherman, Shipoch, Smith, Valle, Williams.

Not voting: Representatives Boldt, Haley, Hawkins, Leckenby, McKibbin, Oliver, Sommers, Struthers, Tilly.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 649 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on final passage of House Bill No. 649 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 20; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Bond, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Enbody, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Keller, Kilbury,

King, Knedlik, Knowles, Kreidler, Lee, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Toller, Thompson, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Burns, Charette, Charney, Douthwaite, Ehlers, Eng, Erak, Erickson, Gallagher, Gilleland, Hawkins, Hurley G. S., Hurley M., Lux, Lysen, May, Pardini, Valle, Williams.

Not voting: Representatives Boldt, Haley, Leckenby, Oliver, Sommers, Struthers, Tilly, Vrooman.

House Bill No. 649 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

May 25, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 656 with the following amendment:

On page 1, line 11 after "writing" strike all of the material down to and including "HOWEVER," on page 1, line 14 and insert "that the same is available for sale to private schools at depreciated cost or fair market value, whichever is higher, prior to other disposal thereof, if requested in writing by the private schools within one year: PROVIDED, That" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Clemente the House refused to concur in the Senate amendment to House Bill No. 656, and asked the Senate for a conference thereon.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 122, by Senators Walgren, Sandison, Matson and Newschwander:

Amending Senate Concurrent Resolution No. 113.

To Committee on Rules

ENGROSSED SUBSTITUTE SENATE BILL NO. 3105, by Committee on State Government (Originally sponsored by Senator Rasmussen):

Increasing the penalty for threatening to bomb or injure property.

#### MOTION

Mr. King moved that the rules be suspended and that Engrossed Substitute Senate Bill No. 3105 be advanced to second reading and read the second time in full.

#### POINT OF ORDER

Mr. Newhouse: "This Senate Bill has not gone to committee. Are we outside the rules or is this bill in some way involved in the concurrent resolution?"

#### SPEAKER'S RULING

Mr. Speaker: "The motion was to suspend the rules, Representative Newhouse. Under our current rules a committee could not sign out a bill, but by suspending the rules this bill can be placed on the calendar for consideration."

Mr. Newhouse: "We then are unilaterally suspending the joint rules, the concurrent resolution by which we were to shut down this session."

Mr. Speaker: "We don't have joint rules passed by both bodies."

The motion to suspend the rules and advance Engrossed Substitute Senate Bill No. 3105 to second reading was carried.

#### MOTION

On motion of Mr. King, further consideration of Engrossed Substitute Senate Bill No. 3105 was deferred, and the bill was placed at the bottom of tomorrow's second reading calendar.



## SECOND READING

HOUSE BILL NO. 743, by Representatives Smith, Zimmerman, Thompson, Lee, Shinpoch, Haley, McKibbin, Charnley, Becker, Hanna, Taller, Clemente, Chandler, Sherman, North, Charette, Hurley (Margaret), Blair, Douthwaite, Lux, Salatino, Burns, Sommers, Nelson (Dick), Hurley (George), Bauer and Knedlik:

Limiting marine bulk petroleum shipment transfer facilities.

The bill was read the second time.

On motion of Mr. Lysen, Substitute House Bill No. 743 was substituted for House Bill No. 743, and the substitute bill was placed on second reading.

Mr. Lysen moved adoption of the following amendment by Representatives Lysen, Bond, Berentson, Pardini and Becker:

On page 2, beginning on line 1 after "Fuca" strike the remainder of subsection (1) through "facilities" on line 2, and insert "at or west of Port Angeles."

Representatives Lysen, Smith, Berentson and Charette spoke in favor of the amendment, and Representatives Conner and Kilbury spoke against it.

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Bond.

Mr. Bond: "Representative Lysen, in the earlier part of the sentence, the last part of which you are amending, there is some language that says, 'refers to major bulk crude petroleum receiving and transfer facilities' and this is just a little bit vague. I want to ask the question, is it the intent of the bill that 'such facilities' refers only to facilities used for the purpose of transshipment, and is not intended to tie in with existing refineries or to apply to their crude oil?"

Mr. Lysen: "Yes, the concern of this particular bill is only with the transshipment of oil. This bill is not intended in itself to restrict the supply methods of the existing refineries. The original bill did require hook-up, but we dropped hook-up and we are dropping any reference in this bill to existing refineries on Puget Sound whatsoever."

Mr. Bond spoke in favor of the amendment and Mr. Owen spoke against it.

Mr. Lysen spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Martinis.

Mr. Martinis: "Chairman Lysen, I may have missed all your remarks on the question by Representative Bond. I'd like to be very specific. Is there anything in this bill, or anything in the intent of this bill that would restrict tanker traffic on Puget Sound to service our present refineries?"

Mr. Lysen: "As I said earlier, and I'll just repeat. The concern of this particular bill, Substitute House Bill No. 743, is only with the transshipment of oil. This bill is not intended to restrict existing supply methods of existing refineries."

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Wilson.

Mr. Wilson: "You commented on the powers of the Clallam County Commissioners to bargain. Can you explain why they are in court trying to override a preemptive decision of the siting council as of last December or January?"

Mr. Lysen: "I guess I'm not up to date on that particular court case. I know there is a court case going on right now. We do not have preemption by the siting council in the state, because it is in noncompliance with local zoning laws. There is a very limited and very indirect form of preemption in the fact that Clallam County cannot zone out completely an oil port somewhere on the Strait of Juan de Fuca and effectively in Clallam County, but that can be there on their own terms."

Mr. Wilson spoke against the amendment.

## POINT OF INQUIRY

Mr. Lysen refused to yield to question by Mr. Hurley (George).

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Lysen and others to Substitute House Bill No. 743, and the amendment was adopted by the following vote: Yeas, 76; nays, 17; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley M., Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Conner, Enbody, Grier, Grimm, Hughes, Hurley G. S., Keller, Kilbury, King, Martinis, McCormick, Owen, Pearsall, Walk, Warnke, Wilson.

Not voting: Representatives Boldt, Haley, Leckenby, Oliver, Struthers.

On motion of Mr. Lysen the following amendment by Representatives Lysen, Bond, Berentson, Pardini and Becker was adopted:

On page 2, beginning on line 17, strike all of section 4, and renumber the remaining sections consecutively.

Mr. Dunlap moved adoption of the following amendment by Representatives Dunlap, Martinis, Conner and Wilson:

On page 1, beginning on line 9 after "shorelines." strike all language beginning with "The" down through and including "facility" on line 18 and insert the following:

"The legislature also finds that the location and siting of a transshipment point in the state of Washington and particularly in inland Puget Sound, defined for purposes of this bill as any point at or east of Port Angeles, would not be in the best interest of our state's marine resources and its citizens and that this state should not be the site of an oil transshipment point unless it is mandated by the federal government. Further, the legislature finds that it is in the state's interest to resist such a site selection by the federal government until the federal government implements strict vessel safety and marine guidance systems to reduce the threat of oil spills"

On motion of Mr. Dunlap the following amendment to the amendment by Representatives Dunlap, Martinis, Conner and Wilson to Substitute House Bill No. 743 was adopted:

On line 4 of the amendment, strike "at or"

The Speaker stated the question before the House to be the amendment by Representative Dunlap and others as amended.

Representatives Dunlap, Pardini, Martinis, Conner, Wilson and Berentson spoke in favor of the amendment as amended, and Representatives Kilbury, Lysen, Bond, Charette, Zimmerman and Smith spoke against it.

Representatives Martinis and Dunlap spoke again in favor of the amendment as amended.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Dunlap and others, as amended, to Substitute House Bill No. 743, and the amendment was not adopted by the following vote: Yeas, 27; nays, 66; not voting, 5.

Voting yea: Representatives Adams, Barnes, Berentson, Blair, Chandler, Conner, Craswell, Dunlap, Fuller, Greengo, Grimm, Hurley M., Keller, King, Martinis, Moreau, Nelson D., Owen, Pardini, Pearsall, Polk, Schmitt, Sherman, Shinoda, Vrooman, Walk, Wilson, Winsley.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Bender, Bond, Burns, Charette, Charnley, Clayton, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Paris, Patterson, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Haley, Leckenby, Oliver, Struthers.

The Clerk read the following amendments by Representatives Vrooman and Berentson to Substitute House Bill No. 743:

On page 1, line 6 after "state" insert "for the purpose of transshipment of crude oil"

On page 1, line 11 after "state" insert "for the purpose of transshipment of crude oil"

On page 1, line 18 after "facilities" insert "used for the purpose of transshipment of crude oil"

On page 1, line 30 after "facility" insert "for the purpose of the transshipment of crude oil"

With the consent of the House, Mr. Vrooman withdrew the amendments.

On motion of Mr. Lysen, the following amendment by Representatives Lysen and Bond to the title was adopted:

On page 1, line 1 of the title after "safety;" strike all material down to and including "RCW" on line 2, and insert "creating new sections"

Substitute House Bill No. 743 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 743 was placed on final passage.

Representatives Lysen, Kilbury, Dunlap, Smith and Charnley spoke in favor of passage of the bill and Representatives Conner, Owen, Wilson and Martinis spoke against it.

Mr. Charette 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. 743, and the bill passed the House by the following vote: Yeas, 71; nays, 20; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., North, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Tally, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Chandler, Conner, Enbody, Erak, Gilleland, Greengo, Grimm, Keller, King, Martinis, Maxie, Moreau, Nelson G. A., O'Brien, Owen, Pearsall, Vrooman, Walk, Wilson.

Not voting: Representatives Boldt, Haley, Leckenby, Newhouse, Oliver, Struthers, Winsley.

Engrossed Substitute House Bill No. 743, 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 Ms. Becker, Engrossed Substitute House Bill No. 743 was immediately transmitted to the Senate.

#### MOTION FOR RECONSIDERATION

Representative Warnke, having voted on the prevailing side, moved to immediately reconsider the vote by which HOUSE BILL NO. 649 as amended by the Senate passed the House.

The motion was carried.

#### MOTION FOR RECONSIDERATION

On motion of Mr. Warnke, the House decided to immediately reconsider the vote by which the House had concurred in the Senate amendments to HOUSE BILL NO. 649.

#### MOTION

Mr. Warnke moved that the House do not concur in the Senate amendments to House Bill No. 649 and ask the Senate for a conference thereon.

The motion was carried.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, June 1, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, June 1, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Boldt, Haley, Hanna and Leckenby, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jill Boyer and Gordy Hawke. Prayer was offered by Reverend Wallace Misterek of Trinity Lutheran Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

May 31, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 113,  
HOUSE BILL NO. 642,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 31, 1977

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 2232,  
ENGROSSED SENATE BILL NO. 3015,  
SUBSTITUTE SENATE BILL NO. 3080,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 31, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 150,  
HOUSE BILL NO. 338,  
HOUSE BILL NO. 382,  
SUBSTITUTE HOUSE BILL NO. 387,  
HOUSE BILL NO. 438,  
HOUSE BILL NO. 1260,  
HOUSE BILL NO. 1262,  
HOUSE BILL NO. 1263,  
SUBSTITUTE HOUSE BILL NO. 1266,  
HOUSE JOINT RESOLUTION NO. 55,  
HOUSE JOINT RESOLUTION NO. 56,  
HOUSE JOINT RESOLUTION NO. 57,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 31, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to REENGROSSED SENATE BILL NO. 2418, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 31, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2512, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENT TO HOUSE BILL

May 26, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 459 with the following amendment:

On page 1, line 9 after "therefor))" strike all the matter down to and including "circumstances" on line 13 and insert ". Where the application has been granted, compensation and other benefits if in order shall be allowed for periods of time up to sixty days prior to the receipt of such application" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Lux, the House concurred in the Senate amendment to Engrossed House Bill No. 459.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 459 as amended by the Senate.

Mr. 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. 459 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greeno, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Enbody, Eng, Haley, Hanna, Keller, Knedlik, Leckenby, Martinis, Salatino, Vrooman, Williams, Winsley.

Engrossed House Bill No. 459 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.

## MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 697, and insists on its position, and once again asks the House to concur therewith, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

Mr. Clemente moved that the House do not concur in the Senate amendments to Substitute House Bill No. 697, and ask the Senate for a conference thereon.

Mr. Newhouse moved that the House do concur in the Senate amendments.

The Speaker (Mr. O'Brien presiding) stated that the positive motion would prevail.

Mr. Newhouse spoke in favor of the motion to concur, and Representatives Clemente, Ehlers and Dunlap spoke against it.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the House, by its action, had refused to concur in the Senate amendments to Substitute House Bill No. 697, and asked the Senate for a conference thereon.

### SENATE AMENDMENT TO HOUSE BILL

May 27, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 768 with the following amendment:

On page 2, line 1 after "and to the" strike the remainder of the section and insert "appropriate policy and fiscal committees of the house of representatives and the senate" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Ms. Erickson, the House concurred in the Senate amendment to House Bill No. 768.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 768 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 768 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Barnes.

Not voting: Representatives Boldt, Eng, Erak, Gruger, Haley, Hanna, Keller, Leckenby, Salatino, Williams.

House Bill No. 768 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

May 31, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 866 with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. LEGISLATIVE FINDING. It is the legislative finding that those employees who are presently members of the teachers' retirement system may retain membership in this retirement system or may transfer into the parallel retirement system created by this act but in no instance shall there be any diminishment or loss of benefits or rights, whether current or prospective, of those employees who retain their membership in the teachers' retirement system and who were first employed on or before June 30, 1977.

**NEW SECTION.** Sec. 2. APPLICATION TO CERTAIN PERSONS. Sections 3 through 15 of this 1977 amendatory act shall, on or after July 1, 1977, apply only to:

(1) Those persons who are initially employed by an employer; or

(2) Those members who have transferred pursuant to section 16 of this 1977 amendatory act.

**NEW SECTION.** Sec. 3. computation of the retirement allowance. A member of the retirement system shall receive a retirement allowance equal to one and one-half percent of such member's average final compensation for each year of service.

**NEW SECTION.** Sec. 4. RETIREMENT FOR SERVICE. (1) NORMAL RETIREMENT. Any member with five or more years of service who has attained at least age sixty-five shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 2 of this 1977 amendatory act.

(2) EARLY RETIREMENT. Any member who has completed at least five years of service and attained age sixty-two shall be eligible to retire and to receive a retirement allowance computed according to

the provisions of section 2 of this 1977 amendatory act, except that a member retiring pursuant to this subsection shall have the retirement allowance actuarially reduced to reflect the difference in the number of years between age at retirement and the attainment of age sixty-five.

**NEW SECTION. Sec. 5. POST-RETIREMENT COST-OF-LIVING.** Beginning July 1, 1979, and every year thereafter, the department shall determine the following information for each retired member or beneficiary whose retirement allowance has been in effect for at least one year:

- (1) The original dollar amount of the retirement allowance;
- (2) The index for the calendar year prior to the effective date of the retirement allowance, to be known as 'index A';
- (3) The index for the calendar year prior to the date of determination, to be known as 'index B'; and
- (4) The percentage amount when index B is divided by index A.

The percentage obtained, if any, shall be the annual adjustment to the original retirement allowance and shall be applied beginning with the July payment. In no event, however, shall the annual adjustment:

- (a) Produce a retirement allowance which is lower than the original retirement allowance;
- (b) Exceed six percent in the initial annual adjustment; or
- (c) Differ from the previous year's annual adjustment by more than six percent.

For the purposes of this section, 'index' means, for any calendar year, that year's average consumer price index—Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**NEW SECTION. Sec. 6. EMPLOYER AND MEMBER CONTRIBUTIONS.** The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary: PROVIDED, That the employer contribution shall be contributed as provided in RCW 41.32.401.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the cost of amortizing the unfunded supplemental present value of that portion of the retirement system, as in effect on June 30, 1977, shall be borne in full by the employers.

The director shall notify the retirement board of any pending adjustment in the required contribution rate and such increase shall be announced at a board meeting held at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members earnable compensation each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute four and eight-tenths percent of earnable compensation: PROVIDED, That employers shall initially contribute an additional five and eight-tenths percent of earnable compensation per member to fund the cost of amortizing that portion of the unfunded supplemental present value of the retirement system as in effect on June 30, 1977.

**NEW SECTION. Sec. 7. OPTIONS FOR PAYMENT OF RETIREMENT ALLOWANCES.** Upon retirement for service as prescribed in section 3 of this 1977 amendatory act, a member shall elect to have the retirement allowance paid pursuant to Option 1, 2, or 3 with Options 2 and 3 calculated so as to be actuarially equivalent to Option 1.

(1) **OPTION 1.** A member electing this option shall receive a retirement allowance payable throughout such member's life. However, if the retiree dies before the total of the retirement allowance paid to such retiree equals the amount of such retiree's accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department; or if there be no such designated person or persons still living at the time of the retiree's death, then to the surviving spouse; or if there be neither such designated person or persons still living at the time of death nor a surviving spouse, then to the retiree's legal representative.

(2) **OPTION 2.** A member who elects this option shall receive a reduced retirement allowance, which upon the member's death shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

(3) **OPTION 3.** A member who elects this option shall receive a reduced retirement allowance, and upon the member's death one-half of the retiree's reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

**NEW SECTION. Sec. 8. DISABILITY.** Members of the retirement system shall receive disability benefits pursuant to Title 51 RCW and insurance benefits provided in whole or in part by employers.

**NEW SECTION. Sec. 9. APPLICATION FOR AND EFFECTIVE DATE OF RETIREMENT ALLOWANCES.** Any member or beneficiary eligible to receive a retirement allowance under the provisions of sections 3 or 10 of this 1977 amendatory act shall be eligible to commence receiving a retirement allowance after having filed written application with the department.

(1) Retirement allowances paid to members under the provisions of section 3 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment.

(2) Retirement allowances paid to vested members no longer in service, but qualifying for such an allowance pursuant to section 3 of this 1977 amendatory act, shall accrue from the first day of the calendar month immediately following such qualification.

(3) Retirement allowances paid as death benefits under the provisions of section 10 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following the member's death.

**NEW SECTION, Sec. 10. SUSPENSION OF RETIREMENT ALLOWANCE UPON EMPLOYMENT.** No retiree under the provisions of sections 2 through 14 of this 1977 amendatory act shall be eligible to receive such retiree's monthly retirement allowance if such retiree enters service for any nonfederal public employer in this state.

Upon cessation of service for any nonfederal public employer in this state such retiree shall have benefits actuarially recomputed pursuant to the rules adopted by the department.

**NEW SECTION, Sec. 11. DEATH BENEFITS.** (1) Upon the death of a member who is not eligible for a retirement allowance pursuant to section 3 of this 1977 amendatory act, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death shall be paid to such person or persons having an insurable interest in such member's life as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) Upon the death of a member who is eligible for retirement the surviving spouse or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in section 3(1) of this 1977 amendatory act actuarially adjusted to reflect Option 2 of section 6 of this 1977 amendatory act and if the member was not eligible for normal retirement at the date of death a further reduction as described in section 3(2) of this 1977 amendatory act. If a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority. If there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance, share and share, alike calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; or

(b) The member's accumulated contributions.

**NEW SECTION, Sec. 12. SERVICE CREDIT FOR AUTHORIZED LEAVE OF ABSENCE.** A member who is on a paid leave of absence authorized by a member's employer shall continue to receive service credit as provided for under the provisions of sections 2 through 14 of this 1977 amendatory act.

A member shall be eligible to receive a maximum of two years service credit during a member's entire working career for those periods when a member is on an unpaid leave of absence authorized by an employer. Such credit may be obtained only if the member makes both the employer and member contributions plus interest as determined by the department for the period of the authorized leave of absence within five years of resumption of service or prior to retirement whichever comes sooner. The contributions required shall be based on the average of the member's compensation earnable at both the time the authorized leave of absence was granted and the time the member resumed employment.

A member who is inducted into the armed forces of the United States shall be deemed to be on an unpaid authorized leave of absence and may receive up to two years of service credit upon compliance with the conditions imposed by this section.

**NEW SECTION, Sec. 13. VESTED MEMBERSHIP.** A member who separates or has separated after having completed at least five years of service may remain a member during the period of such member's absence from service for the exclusive purpose only of receiving a retirement allowance under the provisions of section 3 of this 1977 amendatory act if such member maintains the member's accumulated contributions intact.

**NEW SECTION, Sec. 14. REFUND OF CONTRIBUTIONS.** A member who ceases to be an employee of an employer may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination by the employer; except that in the case of death, initial payment shall be made within thirty days of receipt of request for such payment. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under the provisions of sections 2 through 14 of this 1977 amendatory act.

**NEW SECTION, Sec. 15. REENTRY.** A member, who as a previous member had left service and withdrawn the member's accumulated contributions, shall receive service credit for such prior service if the member restores the lesser of:

(1) All withdrawn accumulated contributions together with interest since the time of withdrawal as determined by the department; or



(2) The contributions which would have been required for such service pursuant to section 5 of this 1977 amendatory act plus interest thereon as determined by the department. The restoration of such funds must be completed within five years of the resumption of service or prior to retirement, whichever occurs first.

**NEW SECTION. Sec. 16. TRANSFER.** (1) Members of the system who established membership on or before June 30, 1977, may irrevocably elect to be covered by sections 2 through 14 of this 1977 amendatory act. Such election shall be held pursuant to rules adopted by the department.

(2) Upon electing to be governed by sections 2 through 14 of this 1977 amendatory act, the member shall:

(a) Be subject to the membership provisions and benefit accrual provided for in sections 2 through 14 of this 1977 amendatory act; and

(b) Receive a refund of that portion of accumulated member contributions that represents the difference between the contribution required by section 5 of this 1977 amendatory act and RCW 41.32.350.

(3) The department shall provide each member eligible to make the election under this section with information which:

(a) Notifies the member of the election provision;

(b) Provides a comparison of system benefits; and

(c) Describes the potential refund available.

(4) The provisions of this section shall terminate on June 30, 1982.

**NEW SECTION. Sec. 17. DUTIES OF PAYROLL OFFICER.** The person responsible for making up the payroll shall transmit promptly to the department at the end of each and every payroll period, or other period designated by the director, a copy of the original payroll voucher or such other payroll report as the department may require showing thereon all deductions for contributions for the teachers' retirement system made from the earnable compensation of a member of the teachers' retirement system. Warrants or checks covering the total of such deductions shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends. The department shall place such moneys into the proper funds established in this chapter.

Sec. 18. Section 1, chapter 80, Laws of 1947 as last amended by section 149, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.010 are each amended to read as follows:

**DEFINITIONS.** As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) 'Accumulated contributions' for persons who establish membership in the retirement system on or before June 30, 1977, means the sum of all regular annuity contributions with regular interest thereon less cost of operation.

(b) 'Accumulated contributions' for persons who establish membership in the retirement system on or after July 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the board of trustees and regular interest.

(3) 'Annuity' means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) 'Annuity fund' means the fund in which all of the accumulated contributions of members are held.

(5) 'Annuity reserve fund' means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before June 30, 1977, means any person in receipt of a retirement allowance or other benefit provided for by the teachers' retirement law.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after July 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) 'Contract' means any agreement for service and compensation between a member and an employer.

(8) 'Creditable service' means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

(9) 'Dependent' means receiving one-half or more of support from a member.

(10) 'Disability allowance' means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

(11) (a) 'Earnable compensation' for persons who establish membership in the retirement system on or before June 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered ((during a fiscal year)). In all cases where compensation includes maintenance the ((board of trustees)) director shall fix the value of that part of the compensation not paid in money: PROVIDED, That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for his two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) 'Earnable compensation' for persons who establish membership in the retirement system on or after July 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, but shall exclude payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service: PROVIDED, That in any year in which a member serves in the legislature such member's earnable compensation shall be the greater of:

(i) The earnable compensation the member would have received had such member not served in the legislature; or

(ii) Such member's actual earnable compensation received for teaching and legislative service combined; any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) 'Employer' means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) 'Fiscal year' means a year which begins July 1st and ends June 30th of the following year.

(14) 'Former state fund' means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) 'Local fund' means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) 'Member' means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to exempt himself from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund. This subsection shall apply only to persons who establish membership in the retirement system on or before June 20, 1977.

(17) 'Member' for persons who establish membership in the retirement system on or after July 1, 1977, means any teacher who becomes employed by an employer on or after July 1, 1977.

(18) 'Membership service' means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system: PROVIDED, That where a member is employed by two or more employers during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

~~((18))~~ (19) 'Pension' means the moneys payable per year during life from the pension fund.

~~((19))~~ (20) 'Pension fund' means a fund from which all pension obligations are to be paid.

~~((20))~~ (21) 'Pension reserve fund' is a fund in the state treasury in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system.

~~((21))~~ (22) 'Prior service' means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

~~((22))~~ (23) 'Prior service contributions' means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

~~((23))~~ (24) 'Public school' means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

~~((24))~~ (25) 'Regular contributions' means the amounts required to be deducted from the compensation of a member and credited to his individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before June 30, 1977.

~~((25))~~ (26) 'Regular interest' means ~~((the interest on funds of the retirement system for the current school year and such other earnings as may be applied thereon by the board of trustees))~~ such rate as the department may determine.

~~((26))~~ (27) (a) 'Retirement allowance' for persons who establish membership in the retirement system on or before June 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) 'Retirement allowance' for persons who establish membership in the retirement system on or after July 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

~~((27))~~ (28) 'Retirement system' means the Washington state teachers' retirement system.

~~((28))~~ (29) (a) 'Service' means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year.

(b) 'Service' for persons who establish membership in the retirement system on or after July 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for seventy or more hours per calendar month. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

If a member receives earnable compensation from two or more employers during any year such member shall receive a total of not more than twelve months of service for such year.

((29)) (30) "Survivors' benefit fund" means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before June 30, 1977.

((30)) (31) "Teacher" means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, educational service district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

(32) "Average final compensation" for persons who establish membership in the retirement system on or after July 1, 1977, means the member's average earnable compensation of the highest sixty consecutive contract or school months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(33) "Retiree" for persons who establish membership in the retirement system on or after July 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(34) "Department" means the department of retirement systems created in chapter 41.50 RCW.

(35) "Director" means the director of the department.

(36) "State elective position" means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(37) "State actuary" means the person appointed pursuant to RCW 44.44.010(2).

NEW SECTION. Sec. 19. There is added to chapter 41.32 RCW a new section to read as follows:

The provisions of the following sections of this chapter shall apply only to those persons who establish membership in the retirement system on or before June 30, 1977: RCW 41.32.250, 41.32.260, 41.32.270, 41.32.280, 41.32.290, 41.32.300, 41.32.310, 41.32.320, 41.32.330, 41.32.340, 41.32.350, 41.32.360, 41.32.365, 41.32.366, 41.32.380, 41.32.390, 41.32.430, 41.32.440, 41.32.470, 41.32.480, 41.32.491, 41.32.492, 41.32.493, 41.32.4931, 41.32.4932, 41.32.494, 41.32.4943, 41.32.4944, 41.32.4945, 41.32.497, 41.32.498, 41.32.4982, 41.32.4983, 41.32.499 except as provided in section 4 of this 1977 amendatory act, 41.32.500, 41.32.510, 41.32.520, 41.32.522, 41.32.523, 41.32.530, 41.32.540, 41.32.550, 41.32.560, 41.32.561, 41.32.565, 41.32.567, 41.32.570, and 41.32.583.

NEW SECTION. Sec. 20. Section headings used in this 1977 amendatory act shall not constitute any part of the law.

NEW SECTION. Sec. 21. Sections 1 through 16 of this 1977 amendatory act shall be added to chapter 41.32 RCW and shall be codified as consecutive sections of the Revised Code of Washington within such chapter.

NEW SECTION. Sec. 22. If any provision of this 1977 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.

NEW SECTION. Sec. 23. This 1977 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 July 1, 1977."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House refused to concur in the Senate amendment to Substitute House Bill No. 866, and asked the Senate for a conference thereon.

#### SENATE AMENDMENT TO HOUSE BILL

May 27, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1348 with the following amendment:

Add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. The limits of uninsured or under insurance coverage shall only apply to the vehicle involved in the accident."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Douthwaite moved that the House do not concur in the Senate amendment to Substitute House Bill No. 1348, and ask the Senate for a conference thereon.

Representatives Douthwaite and Charette spoke in favor of the motion, and Mr. Newhouse spoke against it.

The motion was carried.

MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate adheres to its position on the House amendments to ENGROSSED SENATE BILL NO. 2185, and refuses to concur in the House amendments, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Clemente, the House again refused to recede from its amendments to Engrossed Senate Bill No. 2185, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate concurs in the House amendments to ENGROSSED SENATE BILL NO. 2282, except for sections 6, 7 and 8, and asks the House to recede from this portion of the amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Hawkins, the House refused to recede from its amendments to Engrossed Senate Bill No. 2282, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

May 23, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 2382, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Representative Hurley (Margaret), the House refused to recede from its amendments to Substitute Senate Bill No. 2382, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2445 on page 2, line 8, and does not concur in the following amendments:

On page 1, line 2 of the title; page 1, line 13; page 1, line 17, inserting a new subsection; on page 3, following section 8; and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Salatino, the House refused to recede from its amendments to Substitute Senate Bill No. 2445, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

May 28, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 446, and requests the House for a conference thereon, and the President has appointed as Senate conferees: Senators Van Hollebeke, Morrison, Bottiger.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Salatino, the House granted the request of the Senate for a conference on Engrossed Substitute House Bill No. 446.

## MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE BILL NO. 503, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Henry, Guess, Beck.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Sommers, the House insisted on its position with regard to House Bill No. 503, and refused to grant the request of the Senate for a conference thereon.

## MESSAGE FROM THE SENATE

May 28, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 1133, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Van Hollebeke, Morrison, Bausch.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Conner, the House granted the request of the Senate for a conference on Engrossed House Bill No. 1133.

## MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Rasmussen, Newschwander, Bausch.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Ehlers, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 2268.

## MESSAGE FROM THE SENATE

May 27, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2493, except for the proviso on page 1, beginning on line 24, and ending with "section" on line 35, and asks the House for a conference on the proviso, and the President has appointed as Senate conferees: Senators Odegaard, Benitz, Sandison.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Erickson, the House refused to grant the request of the Senate for a conference on the proviso, and asked the Senate for a conference on all the amendments to Senate Bill No. 2493.

## REPORT OF CONFERENCE COMMITTEE

May 27, 1977

Mr. Speaker;

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2451, as amended by the House, allowing for a longer appeal period from actions of county boards of equalization, have had the same under consideration, and we report that we

are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Rasmussen, Marsh, Morrison; Representatives Sommers, Knedlik, Winsley.

### MOTION

On motion of Ms. Sommers, the report of the Conference Committee on Engrossed Senate Bill No. 2451 was adopted, the committee was granted the powers of Free Conference.

### REPORT OF FREE CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2421 as amended by the House, authorizing local governments to employ hearing examiners to hear applications for amending zoning ordinances, have had the same under consideration, and we recommend that the House amendment striking everything after the enacting clause not be adopted and the following language be adopted:

\*AN ACT Relating to local government hearing examiners; adding a new section to chapter 35.63 RCW; creating new sections; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 58.17 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 35.63 RCW a new section to read as follows:

As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and report on any proposal to amend a zoning ordinance, the legislative body of a city or county may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and decide applications for amending the zoning ordinance when the amendment which is applied for is not of general applicability. In addition, the legislative body may vest in a hearing examiner the power to hear and decide applications for conditional uses, variances, or any other class of applications for or pertaining to land uses which the legislative body believes should be reviewed and decided by a hearing examiner. The legislative body shall prescribe procedures to be followed by the hearing examiner.

Each city or county legislative body electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner. The legal effect of such decisions may vary for the different classes of applications decided by the examiner but shall include one of the following:

(1) The decision may be given the effect of a recommendation to the legislative body;

(2) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative body.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the city's or county's comprehensive plan and the city's or county's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

NEW SECTION. Sec. 2. There is added to chapter 35A.63 RCW a new section to read as follows:

As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and report on any proposal to amend a zoning ordinance, the legislative body of a city may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and decide applications for amending the zoning ordinance when the amendment which is applied for is not of general applicability. In addition, the legislative body may vest in a hearing examiner the power to hear and decide applications for conditional uses, variances or any other class of applications for or pertaining to land uses which the legislative body believes should be reviewed and decided by a hearing examiner. The legislative body shall prescribe procedures to be followed by a hearing examiner. If the legislative authority vests in a hearing examiner the authority to hear and decide variances, then the provisions of RCW 35A.63.110 shall not apply to the city.

Each city legislative body electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner. The legal effect of such decisions may vary for the different classes of applications decided by the examiner but shall include one of the following:

(1) The decision may be given the effect of a recommendation to the legislative body;

(2) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative body.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the city's comprehensive plan and the city's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

NEW SECTION. Sec. 3. There is added to chapter 36.70 RCW a new section to read as follows:

As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and issue recommendations on applications for plat approval and applications for amendments to the zoning ordinance, the county legislative authority may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and issue decisions on proposals for plat approval and for amendments to the zoning ordinance when the amendment which is applied for is not of general applicability. In addition, the legislative authority may vest in a hearing examiner the power to hear and decide conditional use applications, variance applications, applications for shoreline permits or any other class of applications for or pertaining to land uses. The legislative authority shall prescribe procedures to be followed by a hearing examiner.

Any county which vests in a hearing examiner the authority to hear and decide conditional uses and variances shall not be required to have a zoning adjuster or board of adjustment.

Each county legislative authority electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner. Such legal effect may vary for the different classes of applications decided by the examiner but shall include one of the following:

- (1) The decision may be given the effect of a recommendation to the legislative authority;
- (2) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative authority.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the county's comprehensive plan and the county's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

**NEW SECTION.** Sec. 4. There is added to chapter 58.17 RCW a new section to read as follows:

As an alternative to those provisions of this chapter requiring a planning commission to hear and issue recommendations for plat approval, the county or city legislative body may adopt a hearing examiner system and shall specify by ordinance the legal effect of the decisions made by the examiner. The legal effect of such decisions shall include one of the following:

- (1) The decision may be given the effect of a recommendation to the legislative body;
- (2) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative body.

The legislative authority shall prescribe procedures to be followed by a hearing examiner.

Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Each final decision of a hearing examiner, unless a longer period is mutually agreed to by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

**NEW SECTION.** Sec. 5. 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.

Signed by Senators Goltz, Sellar, Van Hollebeke; Representatives Eng, Lee, Owen.

#### MOTION

On motion of Mr. Owen, the House adopted the Report of the Free Conference Committee on Engrossed Senate Bill No. 2421.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2421 as amended by Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2421 as amended by Free Conference Committee, and the bill passed the house by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Boldt, Conner, Haley, Hanna, Leckenby, Williams, and Mr. Speaker.

Engrossed Senate Bill No. 2421 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.

## SENATE AMENDMENTS TO HOUSE BILL

May 24, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 660 with the following amendments:

On page 1, line 16 after "house." strike everything down to and including the period on line 22.

On page 2, line 32 after "shall" insert "upon approval of a majority of the members of the respective house and senate committees on ways and means"

On page 3, beginning on line 21 strike all of subsection (2) and renumber the remaining subsections consecutively.

On page 3, line 24 after "the" strike "proper state agencies" and insert "Office of Program Planning and Fiscal Management or its successor"

On page 3, line 30 strike all of subsection (5)

On page 4, line 10 after "administrator" strike ", and to fix the administrator's salary,"

On page 4, line 14 after "their" strike "salaries" and insert "initial salaries subject to the approval of the facilities and operations committee of the senate and the employment committee of the house of representatives, or their successors. The administrator, and such personnel as the legislative and accountability program committee shall hire, shall thereafter receive the same salary increases as the legislature provides for other state employees."

On page 4, line 27 strike new section 13.

Renumber the remaining sections consecutively.

On page 5, strike section 17.

On page 5, beginning on line 3 insert a new section as follows:

"NEW SECTION. Sec. 17. The provisions of this chapter shall expire on January 1, 1979."

On page 1, line 3 of the title, after "RCW" strike "and declaring an emergency" and insert "; and prescribing an effective date" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

On motion of Mr. Shinpoch, the House concurred in the Senate amendments to page 1, line 16; page 3, line 21; page 3, line 24; page 3, line 30; and page 4, line 10.

Mr. Shinpoch moved that the House concur in the Senate amendment to page 4, lines 27.

Mr. Shinpoch spoke in favor of the motion, and Representatives Thompson and Polk spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to page 4, line 27 of Engrossed Substitute House Bill No. 660, and the motion was lost by the following vote: Yeas, 21; nays, 70; not voting, 7.

Voting yea: Representatives Barnes, Bauer, Bender, Blair, Clayton, Clemente, Eng, Fortson, Gaines, Greengo, Gruger, Knowles, Lysen, McKibbin, Newhouse, Pardini, Shinpoch, Smith, Sommers, Warnke, Winsley.

Voting nay: Representatives Adams, Amen, Barr, Becker, Berentson, Bond, Burns, Chandler, Charette, Charnley, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Grier, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Haley, Hanna, Kilbury, King, Leckenby, Williams.

## MOTION

On motion of Mr. Shinpoch, the House refused to concur in the Senate amendments to page 1, line 3; page 2, line 32; page 3, line 24; page 4, line 14; page 4, line 27; page 5, striking section 17; and page 5, line 3, and asked the Senate for a conference thereon.

## INTRODUCTION AND FIRST READING

SECOND SUBSTITUTE SENATE BILL NO. 2232, by Committee on Ways and Means (Originally sponsored by Senators Mardesich, von Reichbauer, Grant, Murray, Herr, Matson, Day, Odegaard, Fleming and Hayner):

Providing for educational clinics and authorizing state aid for students enrolled therein.

To Committee on Education



ENGROSSED SENATE BILL NO. 3015, by Senators Talley, Goltz, Peterson, Murray and Rasmussen:

Providing for a liquefied natural gas hazards management study.

#### MOTIONS

On motion of Mr. Bender, the rules were suspended, and Engrossed Senate Bill No. 3015 was advanced to second reading and read the second time in full.

On motion of Mr. Bender, further consideration of Engrossed Senate Bill No. 3015 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

SUBSTITUTE SENATE BILL NO. 3080, by Committee on Energy and Utilities (Originally sponsored by Senator Bottiger - by State Energy Office request):

Creating an energy advisory council and revising other energy related laws.

To Committee on Energy and Utilities

#### REPORT OF STANDING COMMITTEE

May 31, 1977

SENATE JOINT MEMORIAL NO. 111, Prime Sponsor: Senator Gaspard, memorializing Congress to investigate the miscalculation by the Bureau of Reclamation in predicting a water shortage. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Erak, Vice Chairman; Amen, Ranking Minority Member; Fancher, Hansen.

To Committee on Rules for second reading.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2042, by Senators Talley, Beck, Peterson, Murray, Sellar and Bottiger:

Changing the requirements for a pilot's license.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 79th Day ex. sess., May 28, 1977.)

On motion of Mr. Charnley, the following amendment to the title by Representative Conner was adopted:

On page 1, line 1 of the title after "pilotage;" and before "amending" on line 5 strike all the material and insert "amending section 1, chapter 18, Laws of 1935 as last amended by section 73, chapter... (ESSB 2924), Laws of 1977 1st ex. sess. and RCW 88.16.010; amending section 2, chapter 18, Laws of 1935 as last amended by section 74, chapter... (ESSB 2924), Laws of 1977 1st ex. sess. and RCW 88.16.020;"

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2042 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2042 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 9; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Fancher, Flanagan, Gilleland, Pardini, Patterson, Polk, Shinoda, Tilly.

Not voting: Representatives Boldt, Douthwaite, Haley, Hanna, Leckenby, McKibbin.

Engrossed Senate Bill No. 2042 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.

**REENGROSSED SUBSTITUTE SENATE BILL NO. 2112**, by Committee on Local Government (Originally sponsored by Senators Wilson, Sellar and Henry):

Modifying civil service appointment procedures for sheriffs' offices and authorizing unclassified positions.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 49th Day ex. sess., April 28, 1977.)

Mr. Thompson moved adoption of the committee amendment.

Mr. Thompson moved adoption of the following amendment to the committee amendment:

On page 6 of the amendment, after line 35 insert a new section as follows:

**"NEW SECTION.** Sec. 6. There is added to chapter 41.14 RCW a new section to read as follows:

Any exempt employee of a sheriff's department who previously held a classified civil service position in another sheriff's department or the same sheriff's department shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, in the sheriff's department of the county in which such classified position was previously held. Such right of reversion shall only exist if no more than 30 calendar days elapsed between the previous employment in such a classified civil service position and the acceptance of employment in such an exempt position. Such employee must apply to return to classified service within 30 calendar days of:

- (1) Termination of employment in such exempt position, or
- (2) Termination of employment in any other exempt position in which the employee subsequently serves provided there was no break in their service with the county of more than 30 calendar days."

Mr. Thompson spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Thompson, is it the intent of this amendment that in the event a person left Clark County and went to Cowlitz County, held civil service category in Clark County, decided to return, and if there were no openings, could he bump somebody upon his return?"

Mr. Thompson: "Yes, he could, because that is the process under which civil service systems operate now."

Mr. May spoke in favor of the amendment, and Mr. Polk spoke against it.

The amendment to the committee amendment was adopted, and the committee amendment as amended was adopted.

On motion of Mr. Thompson, the committee amendment to the title was adopted.

Reengrossed Substitute Senate Bill No. 2112 as amended by the House was passed to Committee on Rules for third reading.

**ENGROSSED SENATE BILL NO. 2662**, by Senators Rasmussen and Henry:

Revising the membership of the veterans' affairs advisory committee.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 55th Day ex. sess., May 4, 1977.)

Mr. Ehlers moved adoption of the committee amendment.

Mr. Ehlers spoke in favor of the amendment, and Mr. Conner spoke against it.

Mr. Ehlers spoke again in favor of the committee amendment, and Mr. Taller spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Senate Bill No. 2662, and the amendment was adopted by the following vote: Yeas, 73; nays, 20; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Greengo, Grimm, Gruger, Hawkins, Heck, Hurley M., Keller, Kilbury, Knedlik, Kreidler, Lee, Lysen, Maxie, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Conner, Gaines, Gallagher, Gilleland, Grier, Hansen, Hughes, Hurley G. S., King, Knowles, Lux, Martinis, May, McCormick, Owen, Pearsall, Smith, Vrooman, Williams.  
Not voting: Representatives Boldt, Haley, Hanna, Leckenby, and Mr. Speaker.

## STATEMENT FOR THE JOURNAL

On the motion to adopt the committee amendment to Engrossed Senate Bill No. 2662, I inadvertently voted "No" when I intended to vote "Yes."

Rick Smith, 23rd District.

## MOTIONS

On motion of Mr. Ehlers, the committee amendment to the title was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2662 as amended by the House was placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill, and Mr. Conner spoke against it.

Mr. Ehlers spoke again in favor of the bill, and Mr. Pardini spoke against it.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Polk.

Mr. Polk: "Representative Pardini, I'm a bit confused by this interchange. We passed a total sunset bill, as I understand it, so doesn't that have some affect on the bill that we are dealing with now?"

Mr. Pardini: "I certainly stand to be corrected, Representative Polk, but it was my understanding, and that was the reason I made the pitch—we've passed the sunset bill which recalls for review all of these agencies and boards. I think that falls under the scope of the blanket sunset bill. I don't think this is a valid argument. If I'm wrong, and this does not fall under the blanket sunset bill, then what did we pass in the sunset bill?"

Ms. Sommers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2662 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 26; not voting, 8.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Berentson, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Greengo, Grimm, Gruger, Hawkins, Heck, Hurley M., Kilbury, King, Knedlik, Kreidler, Lee, Lysen, Martinis, Maxie, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bond, Conner, Dunlap, Erak, Flanagan, Gaines, Gallagher, Gilleland, Grier, Hansen, Hughes, Hurley G. S., Knowles, Lee, May, McCormick, Pardini, Paris, Pearsall, Shinoda, Struthers, Vrooman, Warnke, Williams.

Not voting: Representatives Boldt, Haley, Hanna, Keller, Leckenby, Moreau, Owen, Wilson.

Engrossed Senate Bill No. 2662 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 SUBSTITUTE SENATE BILL NO. 3054, by Committee on Ways and Means (Originally sponsored by Senators Odegaard, Sandison, Morrison, Benitz and Donohue):

Modifying timber tax distribution.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 74th Day ex. sess., May 23, 1977.)

On motion of Ms. Sommers, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3054 as amended by the House was placed on final passage.

Ms. Sommers 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. 3054 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 10; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Charette, Conner, Hansen, Heck, Nelson G. A., Pardini, Polk, Thompson, Warnke.

Not voting: Representatives Boldt, Flanagan, Haley, Hanna, Leckenby, Wilson.

Engrossed Substitute Senate Bill No. 3054 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. Charnley, Engrossed Senate Bill No. 2042, as amended by the House, was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3071, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Extending and updating the commercial fishing gear reduction program.

The bill was read the second time.

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

On page 1, following line 9 add a new section as follows:

"Section 1. Section 2, chapter 184, Laws of 1974 ex. sess. as amended by section 7, chapter 106, Laws of 1977 1st ex. sess. and RCW 75.28.455 are each amended to read as follows:

On and after May 6, 1974, the department of fisheries of the state of Washington shall initiate a program to limit the number of commercial salmon vessels for each type of fishing gear and area by issuing licenses and vessel delivery permits to fish for salmon only to those vessels holding such licenses or permits in any year between January 1, 1970 and May 6, 1974: PROVIDED, That only those vessels which held commercial gear fishing licenses or vessel delivery permits valid for salmon during such period and can prove by means of a valid fish receiving document that salmon were caught and landed during such period shall be entitled to a valid commercial fishing license or vessel delivery permit to fish for or possess salmon for the same type of gear and area for each year of a period extending from January 1, 1975 through December 31, 1980. PROVIDED FURTHER, That except for vessels coming under the provisions of RCW 75.28.460, no commercial salmon fishing license or vessel delivery permit shall be issued to a vessel for calendar years 1979 and 1980 unless that vessel (1) was issued or had transferred to it a valid Washington state commercial salmon fishing license or vessel delivery permit during the previous calendar year, or during the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought; and (2) can prove by means of a valid fish receiving document that food fish were caught and landed by such vessel in this state or in another state during the previous calendar year, or during the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar

year or years previous to the year for which the licenses are being sought: PROVIDED, HOWEVER, That nothing herein shall be construed to be contrary to the provisions of Title 75 RCW or any regulation promulgated thereunder. All such licenses or vessel delivery permits shall be transferable (~~(-PROVIDED, That in order to qualify for licenses in calendar years 1979 and 1980, a vessel must prove by means of a valid fish receiving document that food fish were caught and landed by such vessel in this state or in another state during the previous calendar year, or during the last calendar year in which the vessel was legally eligible for licenses if the vessel's licenses were suspended or revoked during the calendar year or years previous to the year for which the licenses are being sought)).~~)"

Renumber the following sections consecutively.

#### MOTION

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 3071 was deferred, and the bill was ordered placed on the calendar following Engrossed Substitute Senate Bill No. 3105.

#### MOTION

Mr. Pardini moved that the House revert to the second reading of House bills.

Mr. Pardini spoke in favor of the motion, and Mr. King spoke against it.

Mr. Pardini spoke again in favor of the motion.

The motion was lost.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3105, by Committee on State Government (Originally sponsored by Senator Rasmussen):

Increasing the penalty for threatening to bomb or injure property.

The bill was read the second time.

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

On page 1, line 9 after "governmental" strike "building" and insert "property"

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3105 as amended by the House was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Knowles, as I understand from reading the paper, several people involved or at least suspected, are state employees. If they are convicted and found guilty, would they retain their jobs under their civil service status?"

Mr. Knowles: "Not being a member of the personnel board, I would hate to try to answer your question."

Mr. Kreidler 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. 3105 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Boldt, Haley, Hanna, Leckenby.

Engrossed Substitute Senate Bill No. 3105 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 SUBSTITUTE SENATE BILL NO. 3071:

The House resumed consideration of the bill on second reading.

Mr. Conner moved adoption of the following amendment:

On page 3, line 11 after "vessel" insert "and may purchase vessels, licenses and delivery permits pertaining to a particular vessel without requiring sale of other vessels, licenses or permits held by the same owner."

Mr. Conner spoke in favor of the amendment, and Mr. Martinis spoke against it.

The amendment was not adopted.

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

On page 1, line 2 of the title after "permits;" insert "amending section 2, chapter 184, Laws of 1974 ex. sess. as amended by section 7, chapter 106, Laws of 1977 1st ex. sess. and RCW 75.28.455;"

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3071 as amended by the House was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Hansen.

Mr. Hansen: "Representative Martinis, reading your amendment, and it has probably been discussed, but I didn't hear it, in case of a suspended license, where this license was not used the prior year, would that disqualify a man from having a valid license after his suspension was over?"

Mr. Martinis: "That was one of the cases in point of why we rewrote the proviso—to protect that man whose license was revoked because of violations or to forfeitures of bail or violations, so that he would still be eligible for his prior year, to be able to purchase a license. This coming season if a man's license was revoked without the specific language in this amendment, it would mean that he would not be able to purchase a license in 1979, but we were very specific in the language to make sure his prior eligible year would qualify him for the first year of eligibility to buy a license."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3071 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Clemente, Deccio, Douthwaite, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Tally, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Bond, Charette, Conner, Craswell, Dunlap, Ehlers, Enbody, Erak, Hawkins, Nelson D., Oliver, Pardini, Polk, Salatino, Sanders, Struthers, Thompson.

Not voting: Representatives Boldt, Haley, Hanna, Leckenby.

Engrossed Substitute Senate Bill No. 3071 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. 2217, by Senators Day, Sellar and Washington:

Authorizing travel and living expenses for candidates for administrative positions in public hospital districts.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2217 was placed on final passage.

Mr. Kreidler spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2217, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Haley, Hanna, Leckenby, Tilly.

Senate Bill No. 2217, 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. 2429, by Senators Francis, Buffington, Marsh, Matson and Van Hollebeke (by Department of Motor Vehicles request):

Revising the regulation of charitable solicitations.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Warnke, the committee amendment was adopted.

On motion of Mr. Nelson (Gary), the following amendments by Representatives Nelson (Gary) and Charette were adopted:

On page 19, line 21 strike "~~((exceeding a total value of five hundred dollars for any single charitable purpose during any twelve month period, although exempt from the registration provisions of this chapter,~~" and insert "exceeding a total value of five hundred dollars for any single charitable purpose during any twelve month period, although exempt from the registration provisions of this chapter, (("

On page 20, line 2 after "....." insert "Said report shall be maintained and available for public inspection for a period of not less than three years."

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2429 as amended by the House was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2429 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives Boldt, Haley, Hanna, Leckenby.

Engrossed Senate Bill No. 2429 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.

## THIRD READING

SENATE BILL NO. 2439, by Senators Buffington, Henry and Guess:

Extending the obligation of urban arterial trust funds for one more year.

The bill was read the third time and placed on final passage.

Mr. Pruitt spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Mr. Lysen.

Mr. Lysen: "Representative Pruitt, because the bridge was designed originally for the benefit of the Port of Seattle, have they been willing to contribute to the funding of this bridge in any way? Have they been a positive force in this effort, or do they expect local citizens to pay all the support to run and build the bridge so we can have the great increase in international trade?"

Mr. Pruitt: "The Port of Seattle has agreed to work with the federal funds, to encourage federal funds for the dredging and widening of the present Westlake Channel. This would be around \$30 million for that particular area, so they have cooperated in that way. I think part of the need for political solutions (and this is my own viewpoint) is that the Port could cooperate more with their funds to effect some great change there, and this would be one thing to work for in a political solution. It's primarily a political solution."

Mr. Lysen: "So your answer is that the Port has not really been as positive a force as we could hope for and we need to put pressure on them to contribute to the solution of this problem, which is in their benefit in many ways?"

Mr. Pruitt: "Yes."

Representatives Charnley, North, Wilson, Douthwaite and Hurley (Margaret) spoke against passage of the bill, and Representatives Hurley (George), Conner and Taller spoke in favor of it.

Mr. Pruitt spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2439, and the bill passed the House by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Adams, Barnes, Barr, Bender, Blair, Burns, Chandler, Charette, Clayton, Clemente, Conner, Douthwaite, Enbody, Eng, Erak, Fancher, Fischer, Fuller, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, McCormick, McKibbin, Nelson D., O'Brien, Oliver, Owen, Pardini, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Becker, Bond, Charnley, Craswell, Deccio, Dunlap, Ehlers, Erickson, Flanagan, Fortson, Gallagher, Hawkins, Hurley M., Knowles, May, Moreau, Nelson G. A., Newhouse, North, Paris, Patterson, Sherman, Shinpoch, Struthers, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Berentson, Boldt, Gaines, Haley, Hanna, Leckenby, Maxie, Polk, Tilly.

Senate Bill No. 2439, 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 (Mr. O'Brien presiding) announced the Speaker was signing:

SUBSTITUTE HOUSE BILL NO. 125,  
 SUBSTITUTE HOUSE BILL NO. 153,  
 SUBSTITUTE HOUSE BILL NO. 340,  
 SUBSTITUTE HOUSE BILL NO. 470,  
 HOUSE BILL NO. 559,  
 HOUSE BILL NO. 694,  
 SUBSTITUTE HOUSE BILL NO. 798,  
 HOUSE BILL NO. 828,  
 HOUSE BILL NO. 842.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

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



## SECOND READING

SENATE BILL NO. 2479, by Senator Day:

Allowing a monthly earned income exemption for unemployable persons under the public assistance laws.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2479 was placed on final passage.

Ms. Gruger spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2479, and the bill passed the House by the following vote: Yeas, 82; nays, 0; not voting, 16.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barr, Boldt, Burns, Chandler, Dunlap, Fischer, Flanagan, Haley, Knedlik, Leckenby, Pardini, Patterson, Sanders, Tilly, Vrooman, Winsley.

Senate Bill No. 2479, 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. 2486, by Senators Bottiger, Guess and Wanamaker (by Department of Highways request):

Modifying the methods for closing highways and restricting traffic.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2486 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2486, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Flanagan, Haley, Leckenby, Moreau, Pardini, Patterson, Tilly, Vrooman, Winsley.

Senate Bill No. 2486, 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. 2510, by Senators Beck and Washington:

Authorizing the establishment of transportation centers.

The bill was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2510 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2510, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Flanagan, Haley, Leckenby, Moreau, Newhouse, Sommers, Winsley.

Engrossed Senate Bill No. 2510, 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. 2516, by Committee on Agriculture (Endorsed by Senators Gaspard, Benitz, Wilson, Day and Wanamaker):

Revising laws relating to apiaries.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 55th Day ex. sess., May 4, 1977.)

On motion of Mr. Kilbury, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2516 as amended by the House was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2516 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Nelson G. A., Salatino.

Not voting: Representatives Boldt, Flanagan, Haley, Leckenby, Moreau, Owen, Winsley.

Engrossed House Bill No. 2516 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.

The Speaker assumed the Chair.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Warnke, Salatino and Shinoda as conferees on Substitute House Bill No. 120.

The Speaker appointed Representatives Warnke, Eng and Greengo as conferees on Engrossed Substitute House Bill No. 446.

The Speaker appointed Representatives McCormick, Salatino and Greengo as conferees on House Bill No. 649.

The Speaker appointed Representatives O'Brien, Heck and Whiteside as conferees on Substitute House Bill No. 656.

The Speaker appointed Representatives Ehlers, Clemente and Dunlap as conferees on Substitute House Bill No. 697.

The Speaker appointed Representatives Sommers, McKibbin and Newhouse as conferees on Substitute House Bill No. 866.

The Speaker appointed Representatives Warnke, Conner and Fancher as conferees on Engrossed House Bill No. 1133.

The Speaker appointed Representatives Eng, Bender and Schmitt as conferees on Engrossed Senate Bill No. 2185.

The Speaker appointed Representatives Ehlers, Keller and Zimmerman as conferees on Engrossed Substitute Senate Bill No. 2268.

The Speaker appointed Representatives Hawkins, Hughes and Pardini as conferees on Engrossed Senate Bill No. 2282.

The Speaker appointed Representatives Hurley (Margaret), North and Paris as conferees on Substitute Senate Bill No. 2382.

The Speaker appointed Representatives Erickson, Conner and Flanagan as conferees on Senate Bill No. 2493.

The Speaker appointed Representatives Salatino, Walk and Struthers as conferees on Substitute Senate Bill No. 2445.

### SENATE AMENDMENTS TO HOUSE BILL

May 26, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 318 with the following amendments:

On page 1, line 12 after "agency" strike "may" and insert "shall"

On page 3, after line 13 insert new sections as follows:

**NEW SECTION.** Sec. 2. Private property shall not be taken for public, quasi-public, or private use without proof of the necessity of taking and just compensation having first been made, or paid to a court for the private landowner: PROVIDED, That this section and section 3 of this 1977 amendatory act shall not be construed to alter or amend the doctrine and statutes relating to 'open range' except as such statutes may be modified by chapter 16.24 RCW.

**NEW SECTION.** Sec. 3. Just compensation shall be paid in accordance with the laws and Constitution of this state to the appropriate private land owners whenever the use and enjoyment of private property is modified or eliminated by the operation of the doctrine of public trust: PROVIDED, That the provisions of this section shall be inapplicable to the acquisition of prescriptive rights and easements, the right of access necessitating ways of necessity when no access otherwise exists, the rights established by adverse possession pursuant to court precedents and in accordance with the applicable statutes of the state of Washington, the right of the public to establish by law, resolution, or ordinance of the legislature and of subordinate political subdivisions of the state, zoning and similar regulations, and the right of the public to declare in accordance with the established court precedents and the statutes of the state, nuisances relative to the use of property under particular circumstances and in particular locations. For the purpose of this section and section 2 of this 1977 amendatory act amortization shall not be considered to be just compensation."

On page 3, after line 13 insert a new section as follows:

**NEW SECTION.** Sec. 4. There is added to Title 58 RCW a new section to read as follows:

The owner of any real property in the state of Washington may transfer by deed not less than one nor more than five acres of such property to a parent, spouse, or child for the exclusive purpose of permitting said parent, spouse, or child to construct thereon one single family residence and necessary out buildings thereto. The deed shall contain a restrictive covenant running with the property reflecting the provisions of this section. Any conveyance of real property meeting the conditions imposed by this section shall be exempt from the provisions of this title."

In the title, strike everything after "AN ACT" and insert "Relating to real property; amending section 18, chapter 240, Laws of 1971 ex. sess. and RCW 8.26.180; creating new sections; and adding a new section to Title 58 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### POINT OF ORDER

Mr. Thompson: "Mr. Speaker, I would like to challenge the Senate amendments to Substitute House Bill No. 318 on the basis of scope and object."

### SPEAKER'S RULING

The Speaker: "Your point is well taken. The amendments change the scope and object of the bill."

Substitute House Bill No. 318 was rereferred to Committee on Local Government.

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

## MOTION

On motion of Mr. King, the House adjourned until 10:30 a.m., Thursday, June 2, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-FOURTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, June 2, 1977.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Deccio, Gaines, Haley, Leckenby, Moreau and Paris, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Suzy Rode and Lisa Coble. Prayer was offered by Father Michael Finney of St. Edwards Catholic Church of Shelton.

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

#### MESSAGE FROM THE GOVERNOR

June 1, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 1, 1977, Governor Ray approved the following House Bill, entitled:

HOUSE BILL NO. 797: Giving jurisdiction to the court of the county wherein an habitual traffic offender is arrested for subsequently driving without a license.

Sincerely,  
Joe Zaspel, Legislative Assistant.

#### MESSAGES FROM THE SENATE

June 1, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2160, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 1, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 125,  
SUBSTITUTE HOUSE BILL NO. 153,  
SUBSTITUTE HOUSE BILL NO. 340,  
SUBSTITUTE HOUSE BILL NO. 470,  
HOUSE BILL NO. 559,  
HOUSE BILL NO. 694,  
SUBSTITUTE HOUSE BILL NO. 798,  
HOUSE BILL NO. 828,  
HOUSE BILL NO. 842,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 1, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2418,  
SENATE BILL NO. 2512,  
SUBSTITUTE SENATE BILL NO. 2873,

## SUBSTITUTE SENATE BILL NO. 3036,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

HOUSE BILL NO. 113,  
HOUSE BILL NO. 286,  
HOUSE BILL NO. 417,  
HOUSE BILL NO. 459,  
HOUSE BILL NO. 642,  
HOUSE BILL NO. 768,  
SENATE BILL NO. 2418,  
SENATE BILL NO. 2512,  
SUBSTITUTE SENATE BILL NO. 2873,  
SUBSTITUTE SENATE BILL NO. 3036.

## SENATE AMENDMENT TO HOUSE BILL

June 1, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 865 with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Section 1. LEGISLATIVE FINDING.** It is the legislative finding that those employees who are presently members of the public employees' retirement system may retain membership in this retirement system or may transfer into the parallel retirement system created by this act but in no instance shall there be any diminishment or loss of benefits or rights, whether current or prospective, of those employees who retain their membership in the public employees' retirement system and who were first employed on or before June 30, 1977.

**NEW SECTION. Sec. 2. APPLICATION TO CERTAIN PERSONS.** Sections 3 through 15 of this 1977 amendatory act shall, on or after July 1, 1977, apply only to:

(1) Those persons who are initially employed by an employer; or

(2) Those members who have transferred pursuant to section 16 of this 1977 amendatory act.

**NEW SECTION. Sec. 3. computation of the retirement allowance.** A member of the retirement system shall receive a retirement allowance equal to one and one-half percent of such member's average final compensation for each year of service.

**NEW SECTION. Sec. 4. RETIREMENT FOR SERVICE. (1) NORMAL RETIREMENT.** Any member with five or more years of service who has attained at least age sixty-five shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act.

(2) **EARLY RETIREMENT.** Any member who has completed at least five years of service and has attained age sixty-two shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act, except that a member retiring pursuant to this subsection shall have the retirement allowance actuarially reduced to reflect the difference in the number of years between age at retirement and the attainment of age sixty-five.

**NEW SECTION. Sec. 5. POST-RETIREMENT COST-OF-LIVING.** Beginning July 1, 1979, and every year thereafter, the department shall determine the following information for each retired member or beneficiary whose retirement allowance has been in effect for at least one year:

(1) The original dollar amount of the retirement allowance;

(2) The index for the calendar year prior to the effective date of the retirement allowance, to be known as 'index A';

(3) The index for the calendar year prior to the date of determination, to be known as 'index B'; and

(4) The percentage amount when index B is divided by index A.

The percentage obtained, if any, shall be the annual adjustment to the original retirement allowance and shall be applied beginning with the July payment. In no event, however, shall the annual adjustment:

(a) Produce a retirement allowance which is lower than the original retirement allowance;

(b) Exceed six percent in the initial annual adjustment; or

(c) Differ from the previous year's annual adjustment by more than six percent.

For the purposes of this section, 'index' means, for any calendar year, that year's average consumer price index—Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**NEW SECTION. Sec. 6. EMPLOYER AND MEMBER CONTRIBUTIONS.** The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to

time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the cost of amortizing the unfunded supplemental present value of that portion of the retirement system as in effect on June 30, 1977, shall be borne in full by the employers.

The director shall notify the retirement board of any pending adjustment in the required contribution rate and such increase shall be announced at a board meeting held at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members compensation earnable each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute four and three-fourths percent of compensation earnable: PROVIDED, That employers shall initially contribute an additional one and one-half percent of compensation earnable per member to fund the cost of amortizing the unfunded supplemental present value of the retirement system as in effect on June 30, 1977.

**NEW SECTION.** Sec. 7. **OPTIONS FOR PAYMENT OF RETIREMENT ALLOWANCES.** Upon retirement for service as prescribed in section 4 of this 1977 amendatory act, a member shall elect to have the retirement allowance paid pursuant to Option 1, 2, or 3 with Options 2 and 3 calculated so as to be actuarially equivalent to Option 1.

(1) **OPTION 1.** A member electing this option shall receive a retirement allowance payable throughout such member's life. However, if the retiree dies before the total of the retirement allowance paid to such retiree equals the amount of such retiree's accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department; or if there be no such designated person or persons still living at the time of the retiree's death, then to the surviving spouse; or if there be neither such designated person or persons still living at the time of death nor a surviving spouse, then to the retiree's legal representative.

(2) **OPTION 2.** A member who elects this option shall receive a reduced retirement allowance, which upon the member's death shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

(3) **OPTION 3.** A member who elects this option shall receive a reduced retirement allowance, and upon the member's death one-half of the retiree's reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

**NEW SECTION.** Sec. 8. **DISABILITY.** Members of the retirement system shall receive disability benefits pursuant to Title 51 RCW and insurance benefits provided in whole or in part by employers.

**NEW SECTION.** Sec. 9. **APPLICATION FOR AND EFFECTIVE DATE OF RETIREMENT ALLOWANCES.** Any member or beneficiary eligible to receive a retirement allowance under the provisions of sections 4 or 11 of this 1977 amendatory act shall be eligible to commence receiving a retirement allowance after having filed written application with the department.

(1) Retirement allowances paid to members under the provisions of section 4 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment.

(2) Retirement allowances paid to vested members no longer in service, but qualifying for such an allowance pursuant to section 4 of this 1977 amendatory act, shall accrue from the first day of the calendar month immediately following such qualification.

(3) Retirement allowances paid as death benefits under the provisions of section 11 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following the member's death.

**NEW SECTION.** Sec. 10. **SUSPENSION OF RETIREMENT ALLOWANCE UPON EMPLOYMENT.** No retiree under the provisions of sections 3 through 15 of this 1977 amendatory act shall be eligible to receive such retiree's monthly retirement allowance if such retiree enters service for any nonfederal public employer in this state.

Upon cessation of service for any nonfederal public employer in this state such retiree shall have benefits actuarially recomputed pursuant to the rules adopted by the department.

**NEW SECTION.** Sec. 11. **DEATH BENEFITS.** (1) Upon the death of a member who is not eligible for a retirement allowance pursuant to section 4 of this 1977 amendatory act the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death shall be paid to such person or persons having an insurable interest in such member's life as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) Upon the death of a member who is eligible for retirement, the surviving spouse or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in section 4(1) of this 1977 amendatory act actuarially adjusted to reflect Option 2 of section 7 of this 1977 amendatory act and if the member was not eligible for normal retirement at the date of death a further reduction as described in section 4(2) of this 1977 amendatory act. If a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority. If there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance, share and share alike, calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; or

(b) The member's accumulated contributions.

**NEW SECTION. Sec. 12. SERVICE CREDIT FOR AUTHORIZED LEAVE OF ABSENCE.** A member who is on a paid leave of absence authorized by a member's employer shall continue to receive service credit as provided for under the provisions of sections 3 through 15 of this 1977 amendatory act.

A member shall be eligible to receive a maximum of two years service credit during a member's entire working career for those periods when a member is on an unpaid leave of absence authorized by an employer. Such credit may be obtained only if the member makes both the employer and member contributions plus interest as determined by the director for the period of the authorized leave of absence within five years of resumption of service or prior to retirement whichever comes sooner. The contributions required shall be based on the average of the member's compensation earnable at both the time the authorized leave of absence was granted and the time the member resumed employment.

A member who is inducted into the armed forces of the United States shall be deemed to be on an unpaid authorized leave of absence and may receive up to two years of service credit upon compliance with the conditions imposed by this section.

**NEW SECTION. Sec. 13. VESTED MEMBERSHIP.** A member who separates or has separated after having completed at least five years of service may remain a member during the period of such member's absence from service for the exclusive purpose only of receiving a retirement allowance under the provisions of section 4 of this 1977 amendatory act if such member maintains the member's accumulated contributions intact.

**NEW SECTION. Sec. 14. REFUND OF CONTRIBUTIONS.** A member who ceases to be an employee of an employer may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination by the employer; except that in the case of death, initial payment shall be made within thirty days of receipt of request for such payment. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under sections 3 through 15 of this 1977 amendatory act.

**NEW SECTION. Sec. 15. REENTRY.** A member, who as a previous member had left service and withdrawn the member's accumulated contributions, shall receive service credit for such prior service if the member restores the lesser of:

(1) All withdrawn accumulated contributions together with interest since the time of withdrawal as determined by the department; or

(2) The contributions which would have been required for such service pursuant to section 6 of this 1977 amendatory act plus interest thereon as determined by the department. The restoration of such funds must be completed within five years of the resumption of service or prior to retirement, whichever occurs first.

**NEW SECTION. Sec. 16. TRANSFER.** (1) Members of the system who established membership on or before June 30, 1977, may irrevocably elect to be covered by sections 3 through 15 of this 1977 amendatory act. Such election shall be held pursuant to rules adopted by the department.

(2) Upon electing to be governed by sections 3 through 15 of this 1977 amendatory act, the member shall:

(a) Be subject to the membership provisions and benefit accrual provided for in sections 3 through 15 of this 1977 amendatory act; and

(b) Receive a refund of that portion of accumulated member contributions that represents the difference between the contribution required by section 6 of this 1977 amendatory act and RCW 41.40.330.

(3) The department shall provide each member eligible to make the election under this section with information which:

(a) Notifies the member of the election provision;

(b) Provides a comparison of system benefits; and

(c) Describes the potential refund available.

(4) The provisions of this section shall terminate on June 30, 1982.

Sec. 17. Section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010 are each amended to read as follows:

**TERMS DEFINED.** As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the public employees' retirement system provided for in this chapter.

(2) 'Retirement board' means the board provided for in this chapter and chapter 41.26 RCW to administer said retirement system.



(3) 'State treasurer' means the treasurer of the state of Washington.

(4) (a) 'Employer' for persons who establish membership in the retirement system on or before June 30, 1977, means every branch, department, agency, commission, board, and office of the state, any political subdivision or association of political subdivisions of the state admitted into the retirement system, and legal entities authorized by RCW 36.70.060 and 35.63.070 or chapter 39.34 RCW as now or hereafter amended; and the term shall also include any labor guild, association, or organization the membership of a local lodge or division of which is comprised of at least forty percent employees of an employer (other than such labor guild, association, or organization) within this chapter. The term may also include any city of the first class that has its own retirement system.

(b) 'Employer' for persons who establish membership in the retirement system on or after July 1, 1977, means every branch, department, agency, commission, board, and office of the state, and any political subdivision and municipal corporation of the state admitted into the retirement system, including public agencies created pursuant to RCW 36.70.060, 35.63.070, and 39.34.030.

(5) 'Member' means any employee included in the membership of the retirement system, as provided for in RCW 41.40.120.

(6) 'Original member' of this retirement system means:

(a) Any person who became a member of the system prior to April 1, 1949;

(b) Any person who becomes a member through the admission of an employer into the retirement system on and after April 1, 1949, and prior to April 1, 1951;

(c) Any person who first becomes a member by securing employment with an employer prior to April 1, 1951, provided he has rendered at least one or more years of service to any employer prior to October 1, 1947;

(d) Any person who first becomes a member through the admission of an employer into the retirement system on or after April 1, 1951, provided, such person has been in the regular employ of the employer for at least six months of the twelve-month period preceding the said admission date;

(e) Any member who has restored all his contributions that may have been withdrawn by him as provided by RCW 41.40.150 and who on the effective date of his retirement becomes entitled to be credited with ten years or more of membership service except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190(4) shall not apply to the member;

(f) Any member who has been a contributor under the system for two or more years and who has restored all his contributions that may have been withdrawn by him as provided by RCW 41.40.150 and who on the effective date of his retirement has rendered five or more years of service for the state or any political subdivision prior to the time of the admission of the employer into the system; except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190(4) shall not apply to the member.

(7) 'New member' means a person who becomes a member on or after April 1, 1949, except as otherwise provided in this section.

(8) (a) 'Compensation earnable' for persons who establish membership in the retirement system on or before June 30, 1977, means salaries or wages earned during a payroll period for personal services and where the compensation is not all paid in money maintenance compensation shall be included upon the basis of the schedules established by the member's employer: PROVIDED, That if a leave of absence is taken by an individual for the purpose of serving in the state legislature, the salary which would have been received for the position from which the leave of absence was taken, shall be considered as compensation earnable if the employee's contribution is paid by the employee and the employer's contribution is paid by the employer or employee.

(b) 'Compensation earnable' for persons who establish membership in the retirement system on or after July 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, but shall exclude payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service: PROVIDED, That in any year in which a member serves in the legislature such member's compensation earnable shall be the greater of:

(i) the compensation earnable the member would have received had such member not served in the legislature; or

(ii) such member's actual compensation earnable received for nonlegislative public employment and legislative service combined; any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(9) (a) 'Service' for persons who establish membership in the retirement system on or before June 30, 1977, means periods of employment rendered to any employer for which compensation is paid, and includes time spent in office as an elected or appointed official of an employer. Full time work for ten days or more or an equivalent period of work in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits. Service by a state employee officially assigned by the state on a temporary basis to assist another public agency, shall be considered as service as a state employee: PROVIDED,

That service to any other public agency shall not be considered service as a state employee if such service has been used to establish benefits in any other public retirement system: PROVIDED FURTHER, That where an individual is employed by two employers he shall only receive a total of twelve months of service credit during any calendar year.

(b) 'Service' for persons who establish membership in the retirement system on or after July 1, 1977, means periods of employment by a member for one or more employers for which compensation earnable is earned for seventy or more hours per calendar month.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

Members employed by school districts, the state school for the blind, the state school for the deaf, institutions of higher education, or community colleges shall receive twelve months of service for each contract year or school year of employment.

Service in any state elective position shall be deemed to be full time service, except that persons serving in state elective positions who are members of the teachers' retirement system or law enforcement officers' and fire fighters' retirement system at the time of election or appointment to such position may elect to continue membership in the teachers' retirement system or law enforcement officers' and fire fighters' retirement system.

If a member receives compensation earnable from two or more employers during any calendar year such member shall receive a total of not more than twelve months of service for such calendar year.

(10) 'Prior service' means all service of an original member rendered to any employer prior to October 1, 1947.

(11) 'Membership service' means:

(a) All service rendered, as a member, after October 1, 1947;

(b) All service after October 1, 1947, to any employer prior to the time of its admission into the retirement system: PROVIDED, That an amount equal to the employer and employee contributions which would have been paid to the retirement system on account of such service shall have been paid to the retirement system with interest (as computed by the retirement board) on the employee's portion prior to retirement of such person, by the employee or his employer, except as qualified by RCW 41.40.120;

(c) Service not to exceed six consecutive months of probationary service rendered after April 1, 1949, and prior to becoming a member, in the case of any member, upon payment in full by such member (~~(prior to July 1, 1974 of the total amount of the employer's contribution to the retirement fund which would have been required under the law in effect when such probationary service was rendered if the member had been a member during such period))~~ of both member and employer contributions for such period of service based on the compensation earnable when the payment is made.

(d) Service not to exceed six consecutive months of probationary service, rendered after October 1, 1947, and before April 1, 1949, and prior to becoming a member, in the case of any member, upon payment in full by such member (~~(prior to July 1, 1974, of five percent of such member's salary during said period of probationary service))~~ of both member and employer contributions for such period of service based on the compensation earnable when the payment is made.

(12) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before June 30, 1977, means any person in receipt of a retirement allowance, pension or other benefit provided by this chapter.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after July 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(13) 'Regular interest' means such rate as the ((retirement board)) department may determine.

(14) 'Accumulated contributions' means the sum of all contributions standing to the credit of a member in his individual account together with the regular interest thereon.

(15) (a) 'Average final compensation' for persons who establish membership in the retirement system on or before June 30, 1977, means the annual average of the greatest compensation earnable by a member during any consecutive two year period of service for which service credit is allowed; or if he has less than two years of service then the annual average compensation earnable during his total years of service for which service credit is allowed.

(b) 'Average final compensation' for persons who establish membership in the retirement system on or after July 1, 1977, means the member's average compensation earnable of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(16) 'Final compensation' means the annual rate of compensation earnable by a member at the time of termination of his employment.

(17) 'Annuity' means payments for life derived from accumulated contributions of a member. All annuities shall be paid in monthly installments.

(18) 'Pension' means payments for life derived from contributions made by the employer. All pensions shall be paid in monthly installments.

(19) 'Retirement allowance' means the sum of the annuity and the pension.

(20) 'Employee' means any person who may become eligible for membership under this chapter, as set forth in RCW 41.40.120.

(21) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality and other tables as may be adopted by the retirement board.

(22) 'Retirement' means withdrawal from active service with a retirement allowance as provided by this chapter.

(23) 'Eligible position' means:

(a) Any position which normally requires five or more uninterrupted months of service a year for which regular compensation is paid to the occupant thereof;

(b) Any position occupied by an elected official or person appointed directly by the governor for which compensation is paid.

(24) 'Ineligible position' means any position which does not conform with the requirements set forth in subdivision (23).

(25) 'Leave of absence' means the period of time a member is authorized by the employer to be absent from service without being separated from membership. This subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

(26) 'Totally incapacitated for duty' means total inability to perform the duties of a member's employment or office or any other work for which the member is qualified by training or experience.

(27) 'Retiree' for persons who establish membership in the retirement system on or after July 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(28) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(29) 'Director' means the director of the department.

(30) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(31) 'State actuary' means the person appointed pursuant to RCW 44.44.010(2).

Sec. 18. Section 4, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.165 are each amended to read as follows:

No person appointed to membership on any committee, board, or commission on or after July 1, 1976, who is compensated for service on such committee, board, or commission for less than ten days or seventy hours in any month, whichever amount is less, shall receive service credit for such service for that month: PROVIDED, That on and after July 1, 1977, appointive and elective officials who receive monthly compensation earnable from an employer in an amount equal to or less than seventy times the state minimum hourly wage shall not receive any service credit for such employment.

Sec. 19. Section 35, chapter 274, Laws of 1947 and RCW 41.40.340 are each amended to read as follows:

The deductions from the compensation of members, provided for in RCW 41.40.330 or section 6 of this 1977 amendatory act, shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for in this chapter and shall receipt in full for his salary or compensation, and payment less said deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to benefits provided for under this chapter.

Sec. 20. Section 36, chapter 274, Laws of 1947 and RCW 41.40.350 are each amended to read as follows:

The officer responsible for making up the payroll shall transmit promptly to the retirement board at the end of each and every payroll period a copy of the original payroll voucher or such other payroll report as the retirement board may require showing thereon all deductions for the retirement system made from the ((salary)) compensation earnable of each member, together with warrants or checks covering the total of such deductions. The retirement board after making a record of all such receipts shall pay them to the state treasurer for use according to the provisions of this chapter.

Sec. 21. Section 38, chapter 274, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1963 and RCW 41.40.370 are each amended to read as follows:

(1) The retirement board shall ascertain and report to each employer the amount it shall provide for pension benefits for the ensuing biennium or fiscal year whichever is applicable to the said employer's operations. The amount to be so provided shall be computed by applying the rates of contribution as established by RCW 41.40.361 or section 6 of this 1977 amendatory act to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or July 1, 1977, as the case may be, the amount to be collected as the employer's contribution for pension benefits shall be computed by applying the applicable rates established by RCW 41.40.361 or section 6 of this 1977 amendatory act to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. The retirement board shall bill each said employer at the end of each month for the amount due for that month and the same shall be paid as are its other obligations: PROVIDED, That the retirement board may, at its discretion, establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter and shall be based upon the employer's payrolls for that quarter.

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the retirement board shall bill such employer through the ((budget)) director of the office of program planning and fiscal management for such employer's contribution. Such billing shall be paid by the

employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls. If any such employer shall fail or refuse to honor such a billing, the ((budget)) director of the office of program planning and fiscal management shall cause the same to be paid from any funds appropriated to the ((budget)) director of the office of program planning and fiscal management for such purposes.

**NEW SECTION.** Sec. 22. There is added to chapter 41.40 RCW a new section to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before June 30, 1977: RCW 41.40.150, 41.40.160, 41.40.170, 41.40.180, 41.40.185, 41.40.190, 41.40.193, 41.40.195 except as provided in section 4 of this 1977 amendatory act, 41.40.200, 41.40.210, 41.40.220, 41.40.230, 41.40.235, 41.40.250, 41.40.260, 41.40.280, 41.40.300, 41.40.310, 41.40.320, and 41.40.330.

**NEW SECTION.** Sec. 23. Section headings used in this 1977 amendatory act shall not constitute any part of the law.

**NEW SECTION.** Sec. 24. Sections 2 through 16 of this 1977 amendatory act shall be added to chapter 41.40 RCW and shall be codified as consecutive sections of the Revised Code of Washington within such chapter.

**NEW SECTION.** Sec. 25. If any provision of this 1977 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.

**NEW SECTION.** Sec. 26. This 1977 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 July 1, 1977."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House refused to concur in the Senate amendment to Substitute House Bill No. 865, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Thompson, Shinpoch and Polk as conferees on Engrossed Substitute House Bill No. 660.

The Speaker (Mr. O'Brien presiding) appointed Representatives Sommers, McKibbin and Newhouse as conferees on Substitute House Bill No. 865.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:  
SUBSTITUTE HOUSE BILL NO. 70.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 33, by Representatives King and Berentson:

Creating the Joint Committee on Intergovernmental Relations.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 33 was advanced to second reading, and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 33 was placed on final passage.

Representatives King, Berentson and Warnke spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 33, and the resolution passed the House by the following vote: Yeas, 82; nays, 4; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Dunlap, Ehlers, Embody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Lysen, North, Pardini, Williams.

Not voting: Representatives Bond, Deccio, Douthwaite, Eng, Gaines, Haley, Leckenby, Moreau, Nelson G. A., Paris, Salatino, Wilson.

House Concurrent Resolution No. 33, having received the constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I wish the record to show that I wanted to vote "Yes" on House Concurrent Resolution No. 33.

GARY A. NELSON, 21st District.

### REPORT OF STANDING COMMITTEE

May 31, 1977

ENGROSSED SENATE BILL NO. 2825, Prime Sponsor: Senator Day, imposing an annual license fee on vehicles using propane in accordance with vehicle tonnage. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "PROVIDED, That" insert ", until July 1, 1980,"

On page 1, beginning on line 21 strike all of the material down through "\$125" and insert the following:

0 - 6,000	\$ 60
6,001 - 10,000	\$ 70
10,001 - 18,000	\$ 80
18,001 - 28,000	\$110
28,001 - 36,000	\$150
36,001 and above	\$250

Signed by Representatives Hansen, Vice Chairman; Gilleland, Ranking Minority Member; Charnley, Clayton, Gallagher, Grier, Martinis, McCormick, Sherman, Walk, Wilson.

To Committee on Rules for second reading.

### SECOND READING

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 15, by Committee on Revenue (Originally sponsored by Representatives O'Brien, Lux, North and Sommers):

Authorizing state income tax with limitations upon tax structure.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 78th Day ex. sess., May 27, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Tilly to page 1, line 30.

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

Engrossed Substitute House Joint Resolution No. 15 was ordered reengrossed and passed to Committee on Rules for third reading.

### MOTION

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

### MOTION

Mr. King moved that the Rules Committee be instructed to place REENGROSSED HOUSE JOINT RESOLUTION NO. 15 on the third reading calendar upon receipt by the Chairman of the Rules Committee of the signatures of at least one-third (12) of the members of the minority caucus indicating their willingness to vote for the resolution on final passage.

Mr. King spoke in favor of the motion.

### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, can fifty members of the House place any bill in the Rules Committee on the calendar for consideration?"

The Speaker (Mr. O'Brien presiding): "Fifty members of the House, Representative Pardini, can place a bill on the calendar."

Mr. Pardini: "Then with the consent of the House I would place the resolution on the calendar immediately for consideration today."

## POINT OF ORDER

Mr. King: "My point of order is that we are not on the seventh order of business and the motion by Representative Pardini would take a suspension of the rules at this time."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your motion would be in order under the proper order of business, to relieve the Rules Committee on Reengrossed Substitute House Joint Resolution No. 15, but we are not on that order of business, Representative Pardini."

Mr. Pardini: "It is necessary to relieve the Rules Committee and suspend the rules—is that what you are saying, Mr. Speaker?"

The Speaker (Mr. O'Brien presiding): "It would, or you could revert to the seventh order of business."

Mr. Pardini: "We have had two different interpretations earlier this session, both of which I disputed when a bill was sent to the Rules Committee immediately after second reading. The majority party, in their sloppiness, had forgotten to adopt amendments and the Chair brought them back immediately with a majority vote."

The Speaker (Mr. O'Brien presiding): "Everything is in order so far. The bill or resolution is in the Rules Committee. We have now an instruction from the Rules Committee on how the resolution should be acted upon. That is now before us. We have a motion pending. I would suggest that you hold your remarks to the motion."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Were the other amendments that are on the desk carried to the Rules Committee with the resolution?"

The Speaker (Mr. O'Brien presiding): "All of the amendments were withdrawn."

Mr. Pardini: "By whom?"

The Speaker (Mr. O'Brien presiding): "By the sponsors."

Mr. Pardini: "I was a sponsor and I didn't withdraw any amendments this morning."

The Speaker (Mr. O'Brien presiding): "Well, it's too late now. You should have raised your point of order when the bill was moved back to the Rules Committee."

## MOTION

Mr. Pardini moved that the House be at ease for ten minutes for the purpose of a Rules Committee meeting.

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "We have a motion pending."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative King.

Representatives Newhouse, Nelson (Gary) and Berentson spoke against the motion, and Ms. Sommers spoke in favor of it.

## MOTION

Mr. Pardini moved that the House recess until 1:30 p.m.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative King.

Mr. Polk spoke against the motion.

## POINT OF ORDER

Ms. Sommers: "I want to clarify the statement. The speaker has made an incorrect statement. The inventory tax was adopted. It is on that bill."

The Speaker (Mr. O'Brien presiding): Confine your remarks to the question at hand, Representative Polk.

Mr. Polk continued his remarks in opposition to the motion, and Mr. Hurley (George) spoke in favor of it.

Mr. Pardini spoke against the motion.

The motion was carried.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Bender, the House adjourned until 9:30 a.m., Friday, June 3, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, June 3, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Gaines, Haley, Kreidler, Leckenby and Moreau, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Paula Segale and Jodi Stubsjoen. Prayer was offered by Reverend C. Russell Archer of the Faith Temple of Tacoma.

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

## MESSAGE FROM THE GOVERNOR

June 2, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 2, 1977, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 165: Enacting the "Public Water System Coordination Act of 1977."

HOUSE BILL NO. 313: Relieving from liability hospitals and certain professionals for withdrawing blood when so directed by law enforcement officer pursuant to implied consent law.

SUBSTITUTE HOUSE BILL NO. 395: Revising the procedures for processing claims against the state.

HOUSE BILL NO. 444: Increasing parents' liability for property damage caused by their children to \$3,000.

HOUSE BILL NO. 753: Authorizing sewer district removal of pollutants from nearby waters.

SUBSTITUTE HOUSE BILL NO. 873: Regulating the harvesting of specialized forest products.

HOUSE BILL NO. 921: Providing that fork lifts shall be exceptions to certain requirements for motor vehicles.

Sincerely,  
Joe Zaspel, Legislative Assistant.

## MESSAGES FROM THE SENATE

June 2, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 208,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 2, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2160,  
SENATE BILL NO. 2217,  
SENATE BILL NO. 2439,  
SENATE BILL NO. 2479,



SENATE BILL NO. 2486,  
SENATE BILL NO. 2510,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 2, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 2382, and the President has appointed as Senate conferees: Senators von Reichbauer, Lewis, Gaspard.

Bill Gleason, Assistant Secretary.

June 2, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2421, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 2, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2472, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Douthwaite, Kreidler and Taller as conferees on Substitute House Bill No. 1348.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2160,  
SENATE BILL NO. 2217,  
SENATE BILL NO. 2439,  
SENATE BILL NO. 2479,  
SENATE BILL NO. 2486,  
SENATE BILL NO. 2510.

SENATE AMENDMENT TO HOUSE BILL

May 26, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 474 with the following amendment:

On page 2, line 1 after "body," strike the remainder of the paragraph and insert "(a) at any time after fifty percent of the original contract work has been completed, if it finds that satisfactory progress is being made, may make any of the partial payments which would otherwise be subsequently made in full; but in no event shall the amount to be retained be reduced to less than five percent of the amount of the moneys earned by the contractor; and (b) thirty days after completion and acceptance of all contract work other than landscaping, may release and pay in full the amounts retained during the performance of the contract (other than continuing retention of five percent of the moneys earned for landscaping) subject to the provisions of RCW 60.28.020."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendment to House Bill No. 474.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 474 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 474 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; nays, 1; not voting, 17.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Blair, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Williams.

Not voting: Representatives Bauer, Bender, Boldt, Chandler, Gaines, Greengo, Haley, Kreidler, Leckenby, Lee, Lysen, Martinis, Moreau, Pardini, Smith, Vrooman, Winsley.

House Bill No. 474 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 28, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 46 with the following amendments:

On page 2, line 10 after "payable" strike "in the fiscal year ending June 30, ((1975)) 1977" and insert "(in the fiscal year ending June 30, 1975) on the effective date of this act"

On page 2, line 10 after "1977" strike all the matter down through "adjustment" on line 15.

On page 2, line 23 after "payable" strike "in the fiscal year ending June 30, 1977," and insert "on the effective date of this act."

On page 2, line 23 after "1977," strike all the matter down through "made," on page 3, line 4.

On page 2, line 35 after "year" strike all the matter down to and including "1977" on page 3, line 11. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Lux, the House concurred in the Senate amendments to House Bill No. 46.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 46 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 46 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 9; not voting, 13.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Clayton, Flanagan, Gilleland, Greengo, Gruger, Newhouse, Patterson.

Not voting: Representatives Bender, Gaines, Haley, Kreidler, Leckenby, Lee, Lysen, Martinis, Moreau, Polk, Smith, Vrooman, Winsley.

House Bill No. 46, 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

June 1, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 625 with the following amendment:

On page 1, strike all of section 2 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Eng moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 625.

Mr. Eng spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Eng, with the striking of section 2, would the membership of the central credit union be exactly the same as it is under present statute?"

Mr. Eng: "Yes, it would be."

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 625 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 625 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bender, Gaines, Haley, Heck, Leckenby, Lee, Martinis, Moreau, Smith, Sommers, Winsley.

Engrossed Substitute House Bill No. 625 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

June 1, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 627 with the following amendment:

On page 2, beginning on line 13 with "Any" delete all the material down to and including the period on line 16 and insert:

"The procedure and provisions of RCW 85.08.830 through 85.08.890, which are applicable to drainage improvement districts, joint drainage improvement districts, or consolidated drainage improvement districts which desire to merge into an irrigation district, shall also apply to sewer districts organized, or reorganized, under this title which desire to merge into irrigation districts."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Schmitt, the House concurred in the Senate amendment to Engrossed House Bill No. 627.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 627 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 627 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; nays, 3; not voting, 14.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Boldt, Burns, Chandler, Charette, Charney, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Erbody, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Tally, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Erickson, Nelson G. A., Valle.

Not voting: Representatives Bauer, Bender, Blair, Bond, Gaines, Haley, Kreidler, Leckenby, Lee, Martinis, Moreau, Owen, Smith, Winsley.

Engrossed House Bill No. 627 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.

The Speaker (Mr. O'Brien presiding) called on Mr. Charette to preside.

### SENATE AMENDMENT TO HOUSE BILL

May 27, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 741 with the following amendment:

On page 1, line 10 strike the entire section 1 and insert the following:

"(1) Upon cessation of a use under which an exemption has been granted pursuant to RCW 84.36.030, 84.36.040, (~~(84.36.050)~~) and 84.36.060, the county treasurer shall collect all taxes which would have been paid had the property not been exempt during the seven years preceding, or the life of such exemption, if such be less, together with the interest at the same rate and computed in the same way as that upon delinquent property taxes(~~(-PROVIDED, That)~~).

(2) Upon cessation of a use under which an exemption has been granted pursuant to RCW 84.36.050 to a school or college, the county treasurer shall collect all taxes which would have been paid had the property not been exempt during the three years preceding, or the life of such exemption, if such be less, together with the interest at the same rate and computed in the same way as that upon delinquent property taxes, plus a tax, at the same rate as the property tax rate for that year, on the amount of profit from the sale of property (the difference between the sales price and the purchase price plus improvements): PROVIDED, That where the school or college has operated for more than ten years, no penalty shall be assessed.

(3) If the cessation of use under subsections (1) or (2) of this section involves a portion of the total property exemptions the provisions of ((this section)) those subsections shall apply only to that portion: PROVIDED FURTHER, That such additional tax shall not be imposed if the cessation of use resulted solely from:

((1)) (a) Transfer to an organization, association, or corporation for a use which also qualifies and is granted exemption under the provisions of chapter 84.36 RCW;

((2)) (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

((3)) (c) Official action by an agency of the state of Washington or by the county or city within which the property is located which disallows the present use of such property;

((4)) (d) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the organization, association, or corporation changing the use of such property;

((5)) (e) Relocation of the activity and use of another location or site except for undeveloped properties of camp facilities exempted under RCW 84.36.030."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. O'Brien moved that the House concur in the Senate amendment to Substitute House Bill No. 741.

Representatives O'Brien, Lysen and Pruitt spoke in favor of the motion, and Ms. Sommers spoke against it.

### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Barr.

Mr. Barr: "I'm aware of a real tight spot in Spokane. A private school closed down and they can't sell it or hold on to it. Is this designed to correct that?"

Mr. O'Brien: "It would. It would correct the situation in Spokane and other locations about the state. Spokane is quite interested in this statute."

Representatives Barr, Douthwaite and Hansen spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Substitute House Bill No. 741 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 741 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 8; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Berentson, Boldt, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Gruger, Hawkins, Kilbury, Knedlik, Sommers, Walk.

Not voting: Representatives Bauer, Bender, Gaines, Haley, Kreidler, Leckenby, Moreau, Shinpoch.

Substitute House Bill No. 741 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 JOINT RESOLUTION

May 28, 1977

Mr. Speaker:

The Senate has passed HOUSE JOINT RESOLUTION NO. 7 with the following amendments:

On page 1, line 25 after "amendment" insert "embracing one subject"

On page 2, line 1 after "matters" insert "directly related and"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mrs. Fortson, the House refused to concur in the Senate amendments to House Joint Resolution No. 7, and asked the Senate to recede therefrom.

#### MESSAGE FROM THE SENATE

May 31, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2215, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Smith the House receded from its amendments to page 7, line 17 and page 7, line 25, and refused to recede from its amendments to page 1, line 1 and page 2, line 22, and once again asked the Senate to concur therewith.

Representatives Smith and Newhouse spoke in favor of the motion and it was carried.

Mr. O'Brien resumed the Chair.

#### MESSAGE FROM THE SENATE

June 1, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2654, except the amendment to page 5, line 9, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

Mrs. Valle moved that the House do not recede from its amendment to page 5, line 9 to Engrossed Substitute Senate Bill No. 2654.

Mr. Douthwaite moved that the House do recede from its amendment.

Representatives Douthwaite and Barr spoke in favor of the motion to recede, and Representatives Blair, Charnley and Valle spoke against it.

Mr. Douthwaite rose to speak again in favor of the motion.

## POINT OF ORDER

Mr. Charnley: "Under Rule 51, Representative Douthwaite cannot speak twice."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 51 states in part, '...the chairman/chairwoman of the committee or the mover of the question may close the debate.' Representative Douthwaite is the mover of the motion."

Mr. Douthwaite closed debate, speaking again in favor of the motion to recede.

## ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendment to page 5, line 9 to Engrossed Substitute Senate Bill No. 2654, and the motion was carried by the following vote: Yeas, 68; nays, 23; not voting, 7.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Bender, Berentson, Bond, Burns, Chandler, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lysen, Martinis, Maxie, May, McCormick, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Smith, Struthers, Taller, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Barnes, Becker, Blair, Boldt, Charette, Charnley, Clemente, Ehlers, Erak, Fischer, Gruger, Heck, Hurley G. S., Lux, McKibbin, Nelson D., Pruitt, Sherman, Sommers, Thompson, Valle, Williams, Zimmerman.

Not voting: Representatives Gaines, Haley, Kreidler, Leckenby, Moreau, Shipoch, and Mr. Speaker.

FINAL PASSAGE OF SENATE BILL  
WITHOUT HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2654 without the House amendment to page 5, line 9.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2654 without the House amendment to page 5, line 9, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Blair.

Not voting: Representatives Gaines, Haley, Kreidler, Leckenby, Moreau.

Engrossed Substitute Senate Bill No. 2654 without one 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.

## SENATE AMENDMENTS TO HOUSE BILL

June 1, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 623 with the following amendments:

On page 2, after line 34 insert the following additional sections:

**NEW SECTION.** Sec. 2. The legislature finds and declares that the existing drought conditions and shortage of hydroelectric power have caused severe economic impact on electric utilities and their customers in obtaining sufficient quantities of electric power and energy from other sources, which has or will necessitate the imposition of purchased power surcharge or cost adjustments in addition to the existing rate schedules of such utilities. Because of the drought conditions and shortage of hydroelectric power, which has caused severe economic impact on electric utilities and their customers in obtaining sufficient quantities of electric power and energy from other sources, the legislature further finds that such cost adjustments or surcharge arising out of the increased cost of purchasing necessary power to meet the needs of the electrical utilities and their customers, should not be taxed by the state or any local subdivision thereof.

**NEW SECTION.** Sec. 3. Notwithstanding any other provision of law, if an economic condition exists as provided in section 2 of this 1977 amendatory act which does necessitate the imposition of purchased power surcharge or cost adjustments in addition to the existing rate schedules charged such utilities, neither the state or any local subdivision thereof shall impose a tax or fee thereon.

**NEW SECTION.** Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 82.16 RCW a new section to read as follows:

In addition to the deductions provided for in RCW 82.16.050 as now or hereafter amended, in computing tax there may be deducted from gross income by persons in the light and power business, the following item: Amounts derived from the sale of electrical energy other than for resale equal to the cost of electrical energy purchased from others, but excluding electrical energy generated by the United States, which for any reporting period under RCW 82.16.070 exceeds the average of the total cost of such purchased electrical energy for the same period in the prior two years, but not to exceed the amount of total additional charge to customers, or other authorized temporary increase in total charge for electrical energy to customers, on account of such purchased electrical energy.

**NEW SECTION.** Sec. 5. Sections 2 through 4 of this 1977 amendatory act are 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.

**NEW SECTION.** Sec. 6. The provisions of sections 2 through 4 of this 1977 amendatory act shall expire on July 1, 1978, and thereafter shall be null and void and of no further force and effect whatsoever."

On line 1 of the title after "taxation;" strike "and"

On line 3 of the title after "82.16.050" insert "; adding a new section to chapter 15, Laws of 1961 and to chapter 82.16 RCW; creating new sections; declaring an emergency; and prescribing an expiration date" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I request a ruling by the Chair on the issue of scope and object on the Senate amendment to House Bill No. 623. It is my opinion that the amendment greatly expands the scope of the original bill."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Senate amendment to House Bill No. 623 changes the scope and object of the bill. The bill as passed by the House provided for a reduction in the public utility tax in revenues for nonprofit water associations used for capital improvements by that nonprofit water association. The Senate amendments to the bill deal with taxes on the generation of electricity, and prohibit the state and local subdivisions from imposing taxes on a surcharge rising out of increased costs of electrical power due to the drought. The amendments change the scope and object, therefore, your point is well taken. In accordance with Rule 31, when a House bill is passed by the Senate with amendments that change the scope and object of the bill, upon receipt by the House, it shall be referred to the appropriate committee and shall take the same course as the original bill."

House Bill No. 623 was rereferred to Committee on Revenue.

#### REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2668, enacting a landlord tenant act for mobile home lots, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Hayner, Marsh, Van Hollebeke; Representatives Ehlers, Smith, Tilly.

#### MOTION

On motion of Mr. Smith, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## REPORTS OF STANDING COMMITTEES

June 2, 1977

SECOND SUBSTITUTE SENATE BILL NO. 2232, Prime Sponsor: Senator Mardesich, providing for educational clinics and authorizing state aid for students enrolled therein. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 15 after "28A.02.250" strike ", or proprietary school under chapter 18.82 RCW"

On page 4, after line 27 insert a new section to read as follows:

"NEW SECTION. Sec. 7. There is hereby appropriated from the general fund to the superintendent of public instruction for the biennium ending June 30, 1979, the sum of four hundred twenty-five thousand dollars, or so much thereof as may be necessary, for the purpose of this act."

Renumber the remaining section consecutively.

On page 1, line 3 of the title, after "sections;" strike "and" and on line 5 after "thereof" insert "; and making an appropriation"

Signed by Representatives Clemente, Chairman; Heck, Vice Chairman; Bauer, Boldt, Dunlap, Fortson, Fuller, Lee, Schmitt, Warnke.

To Committee on Rules for second reading.

June 1, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2818, Prime Sponsor: Senator Walgren, authorizing local governments and agencies to lend credit for conservation of energy purposes. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 14 strike "for compensation or otherwise,"

On page 1, line 19 after "corporations" insert ": PROVIDED FURTHER, That the full costs of such installations and materials, plus interest, shall be repaid, except to the extent that any federal or other grants are received to finance such installations and materials, and except that no repayment need be required in the case of the customers who are poor and/or infirm: AND PROVIDED FURTHER, That all of the activities authorized by this act shall be subject to the provisions of RCW 19.86.020 and to chapter 19.90 RCW notwithstanding any exemptions otherwise contained in said chapter"

On page 2, line 6 strike "for compensation or otherwise,"

On page 2, line 11 after "corporations" insert ": PROVIDED FURTHER, That the full costs of such installations and materials, plus interest, shall be repaid, except to the extent that any federal or other grants are received to finance such installations and materials, and except that no repayment need be required in the case of the customers who are poor and/or infirm: AND PROVIDED FURTHER, That all of the activities authorized by this act shall be subject to the provisions of RCW 19.86.020 and to chapter 19.90 RCW notwithstanding any exemptions otherwise contained in said chapter"

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Martinis, McCormick, Pearsall, Williams.

To Committee on Rules for second reading.

May 31, 1977

SENATE BILL NO. 2839, Prime Sponsor: Senator Marsh, exempting certain transmission and reception property of nonprofit corporations from property taxation. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Knedlik, Vice Chairman; Nelson (Gary), Ranking Minority Member; Eng, Flanagan, Hurley (George), Nelson (Dick), Tilly, Winsley.

## MOTIONS

On motion of Mr. Bender, the rules were suspended, and Senate Bill No. 2839 was advanced to second reading and read the second time in full.

On motion of Mr. Bender, further consideration of Senate Bill No. 2839 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

June 1, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 2910, Prime Sponsor: Senator Bottiger, revising statutes relating to energy facility site selection. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:



\*Section 1. Section 1, chapter 45, Laws of 1970 ex. sess. as amended by section 29, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.010 are each amended to read as follows:

The legislature finds that the present and predicted growth in energy demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for energy facilities and the identification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington to recognize the pressing need for increased energy facilities, and to ensure through available and reasonable methods, that the location and operation of such facilities will produce minimal adverse effects on the environment((=ecology)) of the land and its wildlife, and ((the ecology)) of state waters and their aquatic life.

It is the intent to seek courses of action that will balance the increasing demands for energy facility location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

(3) To provide abundant energy at reasonable cost.

(4) To require compliance with local land use plans and zoning ordinances with respect to energy facility sites.

It is the intent of this chapter to expedite the certification of sites for energy facilities subject to this chapter, to minimize duplication of effort in conducting studies of and preparing environmental impact statements relating to such sites, to authorize and encourage cooperation between the council and counties, other governmental agencies, and municipal or public corporations in connection with such sites, and to provide for a single detailed statement in accordance with RCW 43.21C.030(2)(c) where any proposed energy facilities are subject to certification pursuant to chapter 80.50 RCW, and to further the development of facilities to meet pressing needs.

Sec. 2. Section 2, chapter 45, Laws of 1970 ex. sess. as amended by section 30, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.020 are each amended to read as follows:

(1) 'Applicant' means any person who makes application for a site ((location)) certification pursuant to the provisions of this chapter;

(2) 'Application' means any request for approval of a particular site or sites filed in accordance with the procedures established pursuant to this chapter, unless the context otherwise requires;

(3) 'Person' means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized;

(4) 'Site' means any proposed or approved location((=for)) of an energy facility;

(5) 'Certification' means a binding agreement between an applicant and the state which shall embody compliance to the siting guidelines, in effect as of the date of certification, which have been adopted pursuant to RCW ((80.50.050)) 80.50.040 as now or hereafter amended as conditions to be met prior to or concurrent with the construction or operation of any energy facility;

(6) 'Associated facilities' means ((new)) storage, transmission, handling, or other related and supporting facilities connecting an energy plant with the existing energy supply, processing, or distribution system, including, but not limited to, communications, controls, mobilizing or maintenance equipment, instrumentation, and other types of ancillary transmission equipment, off-line storage or venting required for efficient operation or safety of the transmission system and overhead, and surface or subsurface lines of physical access for the inspection, maintenance, and safe operations of the transmission facility and new transmission lines constructed to operate at nominal voltages in excess of 200,000 volts to connect a thermal power plant to the northwest power grid: PROVIDED, That common carrier railroads or motor vehicles shall not be included;

(7) 'Transmission facility' means any of the following together with their associated facilities:

(a) Crude or refined petroleum or liquid petroleum product transmission pipeline of the following dimensions: A pipeline larger than six inches minimum inside diameter between valves for the transmission of these products with a total length of at least fifteen miles;

(b) Natural gas, synthetic fuel gas, or liquified petroleum gas transmission pipeline of the following dimensions: A pipeline larger than fourteen inches minimum inside diameter between valves, for the transmission of these products, with a total length of at least fifteen miles for the purpose of delivering gas to a distribution facility ((or more specifically, a "gas transmission line" as defined by the office of pipeline safety, United States department of transportation)), except an interstate natural gas pipeline regulated by the United States federal power commission;

(8) ((('Energy transmission corridor' means land jointly used for more than one new transmission facility;

(9)) 'Independent consultants' means those persons who have no financial interest in the applicant's proposals and who are retained by the council to evaluate the applicant's proposals, supporting studies, or to conduct additional studies;

~~((+9))~~ (9) 'Thermal power plant' means, for the purpose of certification, any electrical generating facility using any fuel, including nuclear materials, for distribution of electricity by electric utilities;

~~((+10))~~ (10) 'Energy facility' means an energy plant(;) or transmission facilities(;- or an energy transmission corridor): PROVIDED, That the following are excluded from the provisions of this chapter:

(a) Facilities for the extraction, conversion, transmission or storage of water, other than water specifically consumed or discharged by energy production or conversion for energy purposes; and

(b) Facilities operated by and for the armed services for military purposes or by other federal authority for the national defense;

~~((+2))~~ (11) 'Council' means the energy facility site evaluation council created by RCW 80.50.030;

~~((+3))~~ (12) 'Counsel for environment' means an assistant attorney general or a special assistant attorney general who shall represent the public in accordance with RCW 80.50.080;

~~((+4))~~ (13) 'Construction' means ~~((on-site work and construction shall not be deemed to have commenced until there has been an expenditure of not less than two hundred fifty thousand dollars in))~~ on-site improvements, excluding exploratory work, which cost in excess of two hundred fifty thousand dollars;

~~((+5))~~ 'Chairman' means the chairman of the council;

~~(16)~~ 'Member agency' means departments, agencies and commissions enumerated in RCW 80.50.030(3) as now or hereafter amended;

~~(+7))~~ (14) 'Energy plant' means the following facilities together with their associated facilities:

(a) Any stationary thermal power plant with generating capacity of two hundred fifty thousand kilowatts or more and floating thermal power plants of fifty thousand kilowatts or more, including associated facilities;

(b) Facilities which will ~~((result in receipt of))~~ have the capacity to receive liquified natural gas in the equivalent of more than one hundred million standard cubic feet of natural gas per day, which has been transported over marine waters;

(c) Facilities which will ~~((result in the receipt of))~~ have the capacity to receive more than an average of fifty thousand barrels per day of crude or refined petroleum or liquified petroleum gas which has been or will be transported over marine waters, except that the provisions of this chapter shall not apply to storage facilities unless occasioned by such new facility construction;

(d) Any underground reservoir for receipt and storage of natural gas as defined in RCW 80.40.010 capable of delivering an average of more than one hundred million standard cubic feet of natural gas per day; and

(e) Facilities ~~((which will result in the))~~ capable of processing ~~((of))~~ more than twenty-five thousand barrels per day of petroleum into refined products;

(15) 'Land use plan' means a comprehensive plan or land use element thereof adopted by a unit of local government pursuant to chapters 35.63, 35A.63, or 36.70 RCW;

(16) 'Zoning ordinance' means an ordinance of a unit of local government regulating the use of land and adopted pursuant to chapters 35.63, 35A.63, or 36.70 RCW or Article XI of the state Constitution.

Sec. 3. Section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 31, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.030 are each amended to read as follows:

(1) There is hereby created and established the 'energy facility site evaluation council'.

(2) The ~~((nonvoting))~~ chairman of the council shall be ~~((the director of the state energy office. PROVIDED, That the director may designate a deputy director or assistant director to serve as chairman))~~ appointed by the governor with the advice and consent of the senate, shall have a vote on matters before the council, shall serve for a term coextensive with the term of the governor and shall be removable for cause. The chairman may designate a member of the council to serve as acting chairman in the event of the chairman's absence. The salary of the chairman shall be determined pursuant to the provisions of RCW 43.03-.040. The chairman shall be deemed a 'state employee' for the purposes of chapter 42.18 RCW.

(3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies, commissions and committees or their statutory successors:

(a) Department of ecology

(b) Department of fisheries

(c) Department of game

(d) Department of parks and recreation

(e) Department of social and health services

(f) ~~((Interagency committee for outdoor recreation))~~ State energy office

(g) Department of commerce and economic development

(h) Utilities and transportation commission

(i) Office of program planning and fiscal management

(j) Department of natural resources

(k) Planning and community affairs agency

(l) Department of emergency services

(m) Department of agriculture

(n) Department of highways.

(4) The appropriate county legislative authority of every county wherein an application for a proposed site is filed shall appoint a member or designee as a voting member to the council. The member or designee 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 or designee shall serve until there has been a final acceptance or rejection of such proposed site;

(5) The city legislative authority of every city within whose corporate limits an energy plant is proposed to be located shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the city which he represents and such member or designee shall serve until there has been a final acceptance or rejection of such proposed site.

(6) For any port district wherein an application for a proposed port facility is filed subject to this chapter, the port district shall appoint a member or designee as a nonvoting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the port district which he represents and such member or designee shall serve until there has been a final acceptance or rejection of such proposed site. The provisions of this subsection shall not apply if the port district is the applicant, either singly or in partnership or association with any other person.

Sec. 4. Section 4, chapter 45, Laws of 1970 ex. sess. as amended by section 32, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 80.50.040 are each amended to read as follows:

The council shall have the following powers:

(1) To adopt, promulgate, amend, or rescind suitable rules and regulations, pursuant to chapter 34.04 RCW, to carry out the provisions of this chapter, and the policies and practices of the council in connection therewith;

(2) To appoint an executive secretary to serve at the pleasure of the council;

(3) To appoint and prescribe the duties of such clerks, employees and agents as may be necessary to carry out the provisions of this chapter: PROVIDED, That such persons shall be employed pursuant to the provisions of chapter 41.06 RCW;

(4) To develop and apply (~~(topical)~~) environmental and ecological guidelines in relation to the type, design, (~~and~~) location, construction, and operational conditions of certification of energy facilities subject to this chapter;

(5) To establish rules of practice for the conduct of public hearings pursuant to the provisions of the Administrative Procedure Act, as found in chapter 34.04 RCW;

(6) To prescribe the form, content, and necessary supporting documentation for site certification;

(7) To receive applications for (~~(site)~~) energy facility locations and to investigate the sufficiency thereof;

(8) To make and contract, when applicable, for independent studies of sites proposed by the applicant;

(9) To conduct hearings on the proposed location of the (~~(sites)~~) energy facilities;

(10) To prepare written reports to the governor which shall include: (a) a statement indicating whether the application is in compliance with the council's (~~(topical)~~) guidelines, (b) criteria specific to the site and transmission line routing, (~~and~~) (c) a council recommendation as to the disposition of the application, and (d) a draft certification agreement when the council recommends approval of the application;

(11) To prescribe the means for monitoring of the effects arising from the construction and the operation of energy facilities to assure continued compliance with terms of certification: PROVIDED, That any on-site inspection required by the council shall be performed by other state agencies pursuant to interagency agreement: PROVIDED FURTHER, That the council shall retain authority for determining compliance relative to monitoring;

(12) To integrate its site evaluation activity with activities of federal agencies having jurisdiction in such matters to avoid unnecessary duplication; and

(13) To present state concerns and interests to other states, regional organizations, and the federal government on the location, construction, and operation of any energy facility which may affect the environment, health, or safety of the citizens of the state of Washington.

Sec. 5. Section 6, chapter 45, Laws of 1970 ex. sess. as amended by section 34, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 80.50.060 are each amended to read as follows:

(1) The provisions of this chapter shall apply to (~~(those energy facilities to be newly constructed or installed anywhere within the state of Washington, or to)~~ the construction of energy facilities which includes the new construction of energy facilities and the reconstruction or enlargement of (~~(such)~~) existing energy facilities where the (~~(new)~~) net increase in physical capacity (~~(being added)~~) or dimensions resulting from such reconstruction or enlargement meets or exceeds those capacities or dimensions (~~(defined in RCW 80.50.020)~~) set forth in RCW 80.50.020(7) and (17), as now or hereafter amended. No construction of such energy facilities (~~(or energy transmission corridors)~~) may be undertaken, except as otherwise provided in this chapter, after (~~(March 15, 1976)~~) the effective date of this 1977 amendatory act, without first obtaining certification in the manner provided in this chapter.

(2) The provisions of this chapter shall not apply to normal maintenance and repairs which do not increase the capacity or dimensions (~~(of an energy facility)~~) beyond those set forth in RCW 80.50.020 (7) and (17), as now or hereafter amended.

(3) Applications for certification of (~~(thermal power plants and associated transmission lines)~~) energy facilities made prior to (~~(March 15, 1976)~~) the effective date of this 1977 amendatory act shall continue to be governed by the applicable provisions of law in effect on the day immediately preceding (~~(March 15, 1976)~~) the effective date of this 1977 amendatory act with the exceptions of:

(a) RCW 80.50.150 as now or hereafter amended which shall apply to civil actions brought for damages or equitable relief; and

(b) Sections 13 and 14 of this 1977 amendatory act which shall apply to such prior applications prospectively from the effective date of this 1977 amendatory act.

(4) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

Sec. 6. Section 8, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.080 are each amended to read as follows:

After the council has received a site application, the attorney general shall appoint an assistant attorney general ~~((or a special assistant attorney general as a counsel for the environment who shall be a member of the bar of the state of Washington))~~ as a counsel for the environment. The counsel for the environment shall represent the public and its interest in protecting the quality of the environment ~~((for the duration of the certification proceedings, until such time as the certification is issued or denied))~~. Costs incurred by the counsel for the environment in the performance of these duties shall be charged to the office of the attorney general, and shall not be a charge against the appropriation to the energy facility site evaluation council. He shall be accorded all the rights, privileges and responsibilities of an attorney representing a party in a formal action. This section shall not be construed to prevent any person from being heard or represented by counsel in accordance with the other provisions of this chapter.

Sec. 7. Section 9, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.090 are each amended to read as follows:

(1) The council shall conduct a public ((hearing)) meeting in ((the county of the proposed site)) each county within which an energy facility is proposed to be located within sixty days of receipt of an application for site certification~~((PROVIDED, That))~~ to provide information to the public concerning the nature and purpose of the energy facility and the review process to be undertaken by the council and to provide an opportunity for the public to present its views. The place of such public ((hearing)) meeting shall be as close as practical to the proposed site. For an application for an energy facility with a multi-county site, the series of meetings in the several counties shall begin within sixty days of receipt of an application for site certification. The council may consolidate meetings among counties when such consolidation is approved by the appropriate county legislative authorities.

(2) The council ((must)) shall determine ((at the initial public hearing)), before commencing a hearing pursuant to subsection (3) of this section, whether or not the proposed site is consistent and in compliance with city, county, or regional land use plans or zoning ordinances. Upon receipt of notification from the council that an application has been filed, a city, county, or regional planning authority shall file with the council within ten days certified copies of applicable land use plans and/or zoning ordinances in effect as of the date of application. If it is determined that the proposed site ((does conform)) is consistent and in compliance with existing land use plans or zoning ordinances applicable to the location of the energy facility in effect as of the date of the application, the city, county, or regional planning authority shall not thereafter change ((such)) applicable land use plans or zoning ordinances so as to affect the proposed site unless the application for certification is subsequently rejected or withdrawn.

If it is determined that the site is not consistent or in compliance with existing land use plans or zoning ordinances in effect as of the date of the application, the applicant may request a change in, or permission under, such plans or ordinances by the local legislative authority, which shall determine within one hundred twenty days whether to grant or deny the request. Further processing of the application by the council shall terminate and unexpended portions of any fees paid by the applicant shall be returned upon a decision to deny the request. Until such decision is made, the council may, at the applicant's request, continue processing the application: PROVIDED, That the council shall not report its recommendation to the governor pursuant to RCW 80.50.100(1) as now or hereafter amended. Upon a decision to grant the request, processing of the application shall proceed.

(3) Except as provided in section 15 of this 1977 amendatory act, prior to the issuance of a council recommendation to the governor under RCW 80.50.100, a public hearing, conducted as a contested case under chapter 34.04 RCW, shall be held. At such public hearing any person shall be entitled to be heard in support of or in opposition to the application for certification.

(4) Additional public hearings shall be held as deemed appropriate by the council in the exercise of its functions under this chapter.

Sec. 8. Section 10, chapter 45, Laws of 1970 ex. sess. as amended by section 36, chapter 108, Laws of 1975-76 2nd ex. sess. and RCW 80.50.100 are each amended to read as follows:

(1) The council shall report to the governor its recommendations as to the approval or ((disapproval)) rejection of an application for certification within twelve months of receipt by the council of such an application, or such later time as is mutually agreed by the council and the applicant. If the council recommends approval of an application for certification, it shall also submit a draft certification agreement with the report. The council shall include conditions in the draft certification agreement to implement the provisions of this chapter, including, but not limited to, conditions to protect state or local governmental or community interests affected by the construction or operation of the energy facility, and conditions designed to recognize the purpose of laws or ordinances, or rules or regulations promulgated thereunder, that are preempted or superseded pursuant to RCW 80.50.110 as now or hereafter amended.

(2) Within sixty days of receipt of the council's report the governor shall ((approve or reject the application for certification)) take one of the following actions:

(a) Approve the application and execute the draft certification agreement; or

(b) Reject the application; or

(c) Direct the council to reconsider certain aspects of the draft certification agreement.

The council shall reconsider such aspects of the draft certification agreement by reviewing the existing record of the application or, as necessary, by reopening the contested case for the purposes of receiving additional evidence. Such reconsideration shall be conducted expeditiously. The council shall resubmit the draft certification to the governor incorporating any amendments deemed necessary upon reconsideration.

Within sixty days of receipt of such draft certification agreement, the governor shall either approve the application and execute the certification agreement or reject the application. The certification agreement shall be binding upon execution by the governor and the applicant.

(3) The ~~((issuance of denial))~~ rejection of ~~((the))~~ an application for certification by the governor shall be final as to that application but shall not preclude submission of a subsequent application for the same site on the basis of changed conditions or new information.

~~((4))~~ Upon approval by the governor of the application for certification the chairman of the council shall within thirty days compose and submit a certification agreement for execution by the governor and the applicant.))

Sec. 9. Section 11, chapter 45, Laws of 1970 ex. sess. as amended by section 37, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.110 are each amended to read as follows:

(1) If any provision of this chapter is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, or any rule or regulation promulgated thereunder, this chapter shall govern and control and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this chapter.

(2) The state hereby preempts the regulation and certification of the ~~((location))~~ type, design, construction, and operational conditions of certification of the energy facilities included under RCW 80.50.060 as now or hereafter amended.

The state shall not preempt land use plans or zoning ordinances governing the site of an energy facility except as provided in RCW 80.50.090 as now or hereafter amended.

Sec. 10. Section 12, chapter 45, Laws of 1970 ex. sess. as amended by section 38, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.120 are each amended to read as follows:

(1) Subject to the conditions set forth therein any certification ~~((signed by the governor))~~ shall bind the state and each of its departments, agencies, divisions, bureaus, commissions ~~((or))~~, boards ~~((of this state))~~, and political subdivisions, whether a member of the council or not, as to the approval of the site and the construction and operation of the proposed energy facility.

(2) The certification shall authorize the person named therein to construct and operate the proposed energy facility subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission ~~((or))~~, board, or political subdivision of this state, whether a member of the council or not.

Sec. 11. Section 14, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.140 are each amended to read as follows:

(1) The approval or rejection of an application for certification by the governor shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

(2) Objections raised by any party in interest concerning procedural error by the council shall be filed with the council within thirty days of the commission of such error, or such objection shall be deemed waived for purposes of judicial review as provided in this section.

~~((2))~~ (3) The rules and regulations adopted by the council shall be subject to judicial review pursuant to the provisions of chapter 34.04 RCW.

Sec. 12. Section 15, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.150 are each amended to read as follows:

(1) The courts are authorized to grant such restraining orders, and such temporary and permanent injunctive relief as is necessary to secure compliance with this chapter and/or with a site certification agreement issued pursuant to this chapter. The court may assess civil penalties in an amount not less than one thousand dollars per day nor more than twenty-five thousand dollars per day for each day of construction or operation in material violation of this chapter, or in material violation of any site certification agreement issued pursuant to this chapter. The court may charge the expenses of an enforcement action relating to a site certification agreement under this section, including, but not limited to, expenses incurred for legal services and expert testimony, against any person found to be in violation of such certification.

(2) Willful violation of any provision of this chapter shall be a gross misdemeanor.

(3) Civil ~~((or criminal))~~ proceedings to enforce this chapter may be brought ~~((through))~~ by the attorney general ~~((by))~~ or the prosecuting attorney of any county affected by the violation on his own motion or at the request of the council; a civil action for damages or equitable relief may be brought by any person adversely affected by a failure to comply with the terms and conditions of the certification. Criminal proceedings to enforce this chapter may be brought by the prosecuting attorney of any county affected by the violation on his own motion or at the request of the council.

(4) The remedies and penalties in this section, both civil and criminal, shall be cumulative and shall be in addition to any other penalties and remedies available at law, or in equity, to any person.

NEW SECTION. Sec. 13. There is added to chapter 80.50 RCW a new section to read as follows:

The state general fund shall be credited with all receipts from applicants paid to the state pursuant to chapter 80.50 RCW. Such funds shall be used only by the council for the purposes set forth in chapter 80.50 RCW. All expenditures shall be authorized by law.

NEW SECTION. Sec. 14. There is added to chapter 80.50 RCW a new section to read as follows:

(1) The council shall receive all applications for energy facility site certification. The following fees or charges for application processing or certification monitoring shall be paid by the applicant or certificate holder:

(a) A fee of twenty-five thousand dollars for each proposed site, to be applied toward the cost of the independent consultant study authorized in this subsection, shall accompany the application and shall be a condition precedent to any further consideration or action on the application by the council. The council shall commission its own independent consultant study to measure the consequences of the proposed energy facility on the environment for each site application. The council shall direct the consultant to study any matter which it deems essential to an adequate appraisal of the site. The full cost of the study shall be paid by the applicant: **PROVIDED**, That said costs exceeding a total of the twenty-five thousand dollars paid pursuant to subsection (1)(a) of this section shall be payable subject to the applicant giving prior approval to such excess amount.

(b) Each applicant shall, in addition to the costs of the independent consultant provided by subsection (1)(a) of this section, pay such reasonable costs as are actually and necessarily incurred by the council in processing the application. Such costs shall include, but are not limited to, costs of a hearing examiner, a court reporter, additional staff salaries, wages and employee benefits, goods and services, travel expenses within the state and miscellaneous expenses, as arise directly from processing such application.

Each applicant shall, at the time of application submission, deposit twenty thousand dollars, or such lesser amount as may be specified by council rule, to cover costs provided for by subsection (1)(b) of this section. Reasonable and necessary costs of the council directly attributable to application processing shall be charged against such deposit.

The council shall submit to each applicant a statement of such expenditures actually made during the preceding calendar quarter which shall be in sufficient detail to explain such expenditures. The applicant shall pay the state treasurer the amount of such statement to restore the total amount on deposit to the originally established level: **PROVIDED**, That such applicant may, at the request of the council, increase the amount of funds on deposit to cover anticipated expenses during peak periods of application processing. Any funds remaining unexpended at the conclusion of application processing shall be refunded to the applicant, or at the applicant's option, credited against required deposits of certificate holders.

(c) Each certificate holder shall pay such reasonable costs as are actually and necessarily incurred by the council for inspection and determination of compliance by the certificate holder with the terms of the certification relative to monitoring the effects of construction and operation of the facility.

Each certificate holder, within thirty days of execution of the site certification agreement, shall deposit twenty thousand dollars, or such other amount as may be specified by council rule, to cover costs provided for by subsection (1)(c) of this section. Reasonable and necessary costs of the council directly attributable to inspection and determination of compliance by the certificate holder with the terms of the certification relative to monitoring the effects of construction and operation of the facility shall be charged against such deposit.

The council shall submit to each certificate holder a statement of such expenditures actually made during the preceding calendar quarter which shall be in sufficient detail to explain such expenditures. The certificate holder shall pay the state treasurer the amount of such statement to restore the total amount on deposit to the originally established level: **PROVIDED**, That if the actual, reasonable, and necessary expenditures for inspection and determination of compliance in the preceding calendar quarter have exceeded the amount of funds on deposit, such excess costs shall be paid by the certificate holder.

(2) If an applicant or certificate holder fails to provide the initial deposit, or if subsequently required payments are not received within thirty days following receipt of the statement from the council, the council may (a) in the case of the applicant, suspend processing of the application until payment is received; or (b) in the case of a certificate holder, suspend the certification.

(3) All payments required of the applicant or certificate holder under this section are to be made to the state treasurer who shall make payments as instructed by the council from the funds submitted. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the applicant or certificate holder.

**NEW SECTION.** Sec. 15. There is added to chapter 80.50 RCW a new section to read as follows:

(1) Any person required to file an application for certification of an energy facility pursuant to this chapter may apply to the council for an expedited processing of such an application. The application for expedited processing shall be submitted to the council in such form and manner and accompanied by such information as may be prescribed by council rule. The council may grant an applicant expedited processing of an application for certification upon finding that:

- (a) The environmental impact of the proposed energy facility;
- (b) The area potentially affected;
- (c) The cost and magnitude of the proposed energy facility; and
- (d) The degree to which the proposed energy facility represents a change in use of the proposed site

are not significant enough to warrant a full review of the application for certification under the provisions of this chapter.

(2) Upon granting an applicant expedited processing of an application for certification, the council shall not be required to:

- (a) Commission an independent study, notwithstanding the provisions of section 14 of this 1977 amendatory act; nor
- (b) Hold a contested case hearing under chapter 34.04 RCW on the application.

(3) The council shall adopt rules governing the expedited processing of an application for certification pursuant to this section.

**NEW SECTION.** Sec. 16. There is appropriated to the energy facility site evaluation council from the general fund the sum of one hundred sixteen thousand three hundred seventeen dollars, or so much thereof as may be necessary, for the biennium ending June 30, 1979, to carry out the provisions of sections 3(2) and 15 of this 1977 amendatory act.

**NEW SECTION.** Sec. 17. The following acts or parts of acts are each repealed:

(1) Section 5, chapter 45, Laws of 1970 ex. sess., section 33, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.050;

(2) Section 7, chapter 45, Laws of 1970 ex. sess., section 35, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.070; and

(3) Section 1, chapter 110, Laws of 1974 ex. sess., section 39, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.170.

**NEW SECTION.** Sec. 18. If any provision of this 1977 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.

**NEW SECTION.** Sec. 19. This 1977 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."

In the title, page 2, line 3, after "80.50.170;" and before "and" insert "making an appropriation;"

Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Berentson, Bond, Charnley, Grimm, Kilbury, McKibbin, Pearsall, Williams.

To Committee on Rules for second reading.

June 1, 1977

**REENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 116,** Prime Sponsor: Senator Bottiger, permitting the lending of state and local government credit for energy conservation services and materials. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** Do pass. Signed by Representatives Lysen, Chairman; Sherman, Vice Chairwoman; Charnley, Conner, Grimm, Kilbury, Martinis, McCormick, Pearsall, Williams.

**MINORITY recommendation:** Do not pass. Signed by Representatives Dunlap, Ranking Minority Member; Berentson, Bond.

To Committee on Rules for second reading.

#### SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2121,** by Committee on State Government (Originally sponsored by Senators Scott, Marsh, Clarke and Odegaard - by Legislative Budget Committee request):

Restricting printing and distribution of state reports and publications.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 55th Day ex. sess., May 4, 1977.)

Mr. Ehlers moved adoption of the committee amendment.

On motion of Mr. Ehlers, the following amendment to the committee amendment was adopted:

On page 4, beginning on line 24 after "from" strike "these provisions" and insert "the provisions of this paragraph"

Mr. Ehlers spoke in favor of the committee amendment as amended.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "On page 3 of the committee amendment, subsection (3), it refers to the benefits from the publication distribution. How do you evaluate the benefits from a piece of paper as it is being distributed to the people all over the state in terms of dollars and cents?"

Mr. Ehlers: "I believe in the guidelines that were required by OPP&FM to draw up—general guidelines as to criteria for the application of this particular legislation. I would expect those kinds of guidelines would specify the benefits to the taxpayers in this state."

Mr. Douthwaite: "It sounds like the answer is that you don't know how you are going to do this, but you hope they can figure it out. Is that about it?"

Mr. Ehlers; "No, that is not about it."

Mr. Douthwaite spoke in favor of the committee amendment as amended.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Ehlers, would you comment on the concerns expressed to me about the publication by schools of higher education, vocational technical institutes and so forth. What effect would this bill have on their publication of quarterly course offerings, catalogues, information for the students and the public? How would this bill affect them? Will it essentially increase their costs or just how will this affect those institutions?"

Mr. Ehlers: "I believe the original bill was unduly restrictive in that it set up a series of prior approval. I don't believe that in the way the bill has now been rewritten it has done that. In the case of a publication that costs five or six dollars apiece or more, that type of publication would be restricted, but I don't believe the type of things you are referring to—quarterly reports and so forth, as long as they are done in an economic fashion, would interfere at all with that type of publication. I think the effect of this LBC bill as rewritten, would be to restrict the kind of publication that would be very expensive and not in the best interest of the taxpayers of the state. I don't believe community colleges or any other agencies have anything to fear with this bill as it is now written."

Mr. Struthers spoke in favor of the committee amendment as amended.

The committee amendment as amended was adopted.

#### MOTIONS

On motion of Mr. Ehlers, the committee amendment to the title was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2121 as amended by the House was placed on final passage.

Representatives Ehlers and Struthers 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. 2121 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Sanders.

Not voting: Representatives Boldt, Enbody, Gaines, Haley, Kreidler, Leckenby, Moreau.

Engrossed Substitute Senate Bill No. 2121 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. 2889**, by Committee on Education (Originally sponsored by Senator McDermott):

Enumerating RCW sections governing allocation and distribution of funds for common school plant facilities.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2889 was placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2889, and the bill passed the House by the following vote: Yeas 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Deccio, Dunlap, Fancher, Gaines, Haley, Kreidler, Leckenby, Moreau.

Substitute Senate Bill No. 2889, 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. 2161**, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Matson – by Office of Program Planning and Fiscal Management request):

Transferring funds in the community college bond retirement fund and reserve account to the general fund.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2161 was placed on final passage.

Mr. Shipoch spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2161, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Fancher.

Not voting: Representatives Gaines, Haley, Kreidler, Leckenby, Moreau.

Substitute Senate Bill No. 2161, 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. 2525**, by Committee on Transportation (Originally sponsored by Senator Henry):

Making changes in the laws relating to transportation committees and authorizing studies.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 78th Day ex. sess., May 27, 1977.)

Mr. Conner moved adoption of the committee amendments.

Mr. Conner spoke in favor of the committee amendments.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Conner, I find it rather peculiar that the Transportation Committee puts in the statutes all these studies. Other committees do not. We have full authority to study within our own operation as a body, why should such a complicated and

lengthy expenditure be outlined in statute for authorization to study by an interim committee?"

Mr. Conner: "There are two reasons. First, we have always done it that way. The second is that we feel that the members should have an opportunity to have as broad an input and public knowledge of what this committee is trying to do."

The committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2525 as amended by the House was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2525 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 17; not voting, 6.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Blair, Chandler, Clayton, Dunlap, Fancher, Flanagan, Nelson G. A., Newhouse, Polk, Schmitten, Shinoda, Struthers, Taller, Tilly, Zimmerman.

Not voting: Representatives Deccio, Gaines, Haley, Kreidler, Leckenby, Moreau.

Substitute Senate Bill No. 2525 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 wish to be recorded as voting "Aye" on Substitute Senate Bill No. 2525 as amended by the House.

RON DUNLAP, 41st District.

SECOND SUBSTITUTE SENATE BILL NO. 3067, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Rasmussen, Clarke and Wilson):

Establishing the Washington State Register.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 69th Day ex. sess., May 18, 1977.)

On motion of Mr. Ehlers, the committee amendments were adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 3067 as amended by the House was placed on final passage.

Representatives Ehlers and Charette spoke in favor of passage of the bill, and Mr. Blair spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Blair.

Mr. Blair: "Representative Charette, could you tell me just what costs are envisioned with the production of this publication and who will pay for them? How will it be funded?"

Mr. Charette: "The appropriation, I believe, is either \$73,000 or \$78,000 in this bill. It will be paid for out of the general fund. This money is going to be used in conjunction with another item that is in the budget and the Code Reviser is in the process of putting all rules and regulations in the computer so there's cost in that area—the publication of the Washington Administrative Code, (in case you can't remember, it is that big set of blue books, that continues to grow, that some people have on their shelves) can be republished either annually or every

two years at a much less cost than it costs the general fund of the State of Washington at the present time. This is really a cost savings and the saving becomes greater each year into the future."

Mr. Ehlers spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3067 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 8; not voting, 11.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Craswell, Gilleland, Pardini, Paris, Tilly, Zimmerman.

Not voting: Representatives Bender, Berentson, Bond, Gaines, Haley, King, Kreidler, Leckenby, Moreau, Newhouse, Warnke.

Second Substitute Senate Bill No. 3067 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. 2502**, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Jones and Bailey):

Establishing procedures for the measurement of locally assessed property values for purposes of equalizing property values.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 79th Day ex. sess., May 28, 1977.)

On motion of Ms. Sommers, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2502 as amended by the House was placed on final passage.

Mr. Struthers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2502 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Kreidler, Leckenby, Moreau, Warnke.

Substitute Senate Bill No. 2502 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. 2933**, by Senators Francis, Clarke, Marsh and Hayner:

Establishing a judicial qualifications commission contingent upon amendment of the state Constitution.

The bill was read the second time and passed to Committee on Rules for third reading.

## MESSAGE FROM THE SENATE

May 19, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 2435, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Erickson, the House refused to recede from its amendments to Substitute Senate Bill No. 2435, and asked the Senate for a conference thereon.

SUBSTITUTE SENATE BILL NO. 3010, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Matson – by Office of Program Planning and Fiscal Management request):

Making an appropriation to the tort claims revolving fund.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3010 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 Substitute Senate Bill No. 3010, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Gaines, Haley, Kreidler, Leckenby, Moreau, Winsley.

Substitute Senate Bill No. 3010, 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. 3015, by Senators Talley, Goltz, Peterson, Murray and Rasmussen:

Providing for a liquified natural gas hazards management study.

The bill was read the second time.

On motion of Mrs. Fortson, the following amendment was adopted:  
On page 2, line 2 after "natural gas" insert "and"

Mr. Bond moved adoption of the following amendment:

On page 2, line 22 after "of" strike "seventy-six thousand five hundred" and insert "five thousand"

Representatives Bond, Dunlap and Newhouse spoke in favor of the amendment, and Representatives Fortson and Kilbury spoke against it.

## MOTION

On motion of Mr. Lysen, further consideration of Engrossed Senate Bill No. 3015 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2034, by Committee on Constitution and Elections (Originally sponsored by Senator Beck):

Making various changes in election laws.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 55th Day ex. sess., May 4, 1977.)

Mr. Hawkins moved adoption of the committee amendment.

Mr. Fuller moved adoption of the following amendment to the committee amendment:

Beginning on page 5, strike all of sections 6 through 26, inclusive, and renumber the remaining sections consecutively.

Mr. Fuller spoke in favor of the amendment to the committee amendment.

#### POINT OF ORDER

Mr. Newhouse: "I've looked now at the House committee amendment to Reengrossed Substitute Senate Bill No. 2034, and I suggest that the sections expand the scope and object of the Senate bill, and therefore should be ruled out of order."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Reed's Rule 112 states the time for making these objections. Both of these objections on the present action must be presented before consideration has been entered upon. After debate has begun, or other action has been taken, it is too late. It appears to the Speaker that other action has been taken, and we have recognized an amendment to the committee amendment. Debate ensued, a point of order was raised. It appears your objection isn't timely. I'm going to rule it out of order."

Mr. Newhouse: "I'd like to point out that the House committee amendment has only been moved. The other amendment and the discussion on it has not had action taken on it. I believe the point of order is timely and that the committee amendment is beyond the scope and object of the original bill. It much expands that bill. This would be the proper time to raise that."

The Speaker (Mr. O'Brien presiding): "The ruling holds."

Representatives Kilbury, Hawkins, Hurley (George) and Fortson spoke against the amendment to the committee amendment, and Representatives Greengo, Hurley (Margaret), Newhouse, Deccio and Taller spoke in favor of it.

Mr. Fuller spoke again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuller to the committee amendment to Reengrossed Substitute Senate Bill No. 2034, and the amendment to the committee amendment was not adopted by the following vote: Yeas, 36; nays, 55; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hurley M., Lee, Martinis, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lux, Lysen, Maxie, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Gaines, Haley, Kreidler, Leckenby, May, Moreau, Paris.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGES FROM THE SENATE

June 3, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 70,  
HOUSE BILL NO. 113,  
HOUSE BILL NO. 286,  
HOUSE BILL NO. 417,  
HOUSE BILL NO. 459,  
HOUSE BILL NO. 642,  
HOUSE BILL NO. 768,

SENATE BILL NO. 2421,  
SENATE BILL NO. 2472,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 120, and the President has appointed as Senate conferees: Senators Van Hollebeke, Morrison, Wojahn.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on HOUSE BILL NO. 649, and the President has appointed as Senate conferees: Senators Van Hollebeke, Buffington, Bausch.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 656, and President has appointed as Senate conferees: Senators Grant, Murray, Keefe.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 697, and the President has appointed as Senate conferees: Senators McDermott, Gould, Gaspard.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 865, and the President has appointed as Senate conferees: Senators Marsh, Jones, Grant.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 866, and the President has appointed as Senate conferees: Senators Marsh, Jones, Grant.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on HOUSE CONCURRENT RESOLUTION NO. 32, and the President has appointed as Senate conferees: Senators Walgren, Clarke, Marsh.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2185, and the President has appointed as Senate conferees: Senators McDermott, Hayner, Sandison.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2282, and the President has appointed as Senate conferees: Senators Grant, Pullen, Beck.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2429, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 3, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 2445, and the President has appointed as Senate conferees: Senators Van Hollebeke, Matson, Wojahn.

Sidney R. Snyder, Secretary.

June 3, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3071, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 3, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3105, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2421,  
SENATE BILL NO. 2472.

## SECOND READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 2034:

The House resumed consideration of the bill on second reading.

The Clerk read the following amendment by Representative Fuller to the committee amendment:

Beginning on page 64, strike subsections (1) through (26) inclusive, and renumber the remaining subsections consecutively.

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment.

## ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Reengrossed Substitute Senate Bill No. 2034, and the amendment was adopted by the following vote: Yeas, 57; nays, 34; not voting, 7.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hurley M., Lee, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Blair, Gaines, Haley, Leckenby, May, Moreau, Warnke.

On motion of Mr. Hawkins, the committee amendment to the title was adopted.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Reengrossed Substitute Senate Bill No. 2034 as amended by the House be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Reengrossed Substitute Senate Bill No. 2034 as amended by the House on final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 55; nays, 38; not voting, 5.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hurley M., Lee, Martinis, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Haley, Hughes, Leckenby, May, Moreau.

Reengrossed Substitute Senate Bill No. 2034 as amended by the House was passed to Committee on Rules for third reading.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House, Assemblyman Thomas J. Hickey of the State of Nevada, and appointed Representatives Kilbury, Erak and Amen to escort him to the rostrum.

The Speaker (Mr. O'Brien) introduced Assemblyman Hickey to the House and noted that he was Chairman of the Agriculture Committee in the Nevada State Assembly.

Assemblyman Hickey addressed the House briefly, and the Speaker (Mr. O'Brien presiding) instructed the committee to escort him from the House Chambers.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2172, as amended by the House, by Senators Talley, Day and Buffington:

Licensing acupuncturists.

The bill was read the third time and placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2172 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Haley, Knedlik, Leckenby, Moreau, Pardini.

Engrossed Senate Bill No. 2172 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. 2111, by Senators Talley, Henry, Lewis and Sellar:  
Doubling the amount of reimbursement allowed from counties to the Washington state association of county officials.



The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2111, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Hanna, Warnke.

Not voting: Representatives Haley, Hansen, Leckenby, Moreau.

Engrossed Senate Bill No. 2111, 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. 2608**, as amended by the House, by Committee on Judiciary (Originally sponsored by Senators Francis, Buffington and Marsh):

Revising laws relating to privacy of information about crimes and criminals.

The bill was read the third time and placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I am curious—if one thinks there is an error in connection with his record, can he review it and request the record be corrected and have the error expunged immediately afterward?"

Mr. Hanna: "Yes, he can and it is required in this bill that the records be in coordination and agreement with the FBI records so it takes care of it not only at the local level but also at the national level where all the centralized criminal justice records are kept."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2608 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haley, Leckenby, Moreau, Pardini, Sommers, Winsley.

Substitute Senate Bill No. 2608 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. 2430** as amended by the House, by Committee on Local Government (Originally sponsored by Senators Mardesich, Van Hollebeke, Grant, North, Bluechel, Rasmussen, McDermott, Lewis, Murray and Jones):

Authorizing class AA or Class A counties to assume the powers, functions, and obligations of a metropolitan municipal corporation.

The bill was read the third time and placed on final passage.

Representatives Thompson, Charnley, Chandler, Blair and Burns spoke in favor of passage of the bill, and Representatives North and Sanders spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2430 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 23; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Flanagan, Fuller, Gaines, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Bond, Conner, Dunlap, Eng, Fancher, Fischer, Fortson, Gallagher, Gilleland, Hansen, Lee, Martinis, Maxie, North, Oliver, Pardini, Sanders, Schmitt, Shinpoch, Warnke, Wilson, Winsley, Zimmerman.

Not voting: Representatives Haley, Leckenby, Moreau.

Substitute Senate Bill No. 2430 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. 2500, by Senator Sellar:

Creating state route 285.

The bill was read the third time and placed on final passage.

Representatives Schmitt, Charette and Flanagan spoke in favor of passage of the bill.

Mr. Schmitt spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2500, and the bill passed the House by the following vote: Yeas, 84; nays, 10; not voting, 4.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Conner, Gaines, Heck, Keller, Lysen, Owen, Salatino, Warnke, Williams.

Not voting: Representatives Erickson, Haley, Leckenby, Moreau.

Engrossed Senate Bill No. 2500, 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.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2527, as amended by the House, by Committee on Transportation (originally sponsored by Senator Henry):

Defining criminal process of leased and rented motor vehicles and providing penalties.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 2527, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson,

Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Toller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Erickson, Haley, Hughes, Leckenby, Moreau.

Reengrossed Substitute Senate Bill No. 2527 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.

Mr. Bender 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 Haley, Hughes, Leckenby, Lux, Moreau and Pardini.

On motion of Mr. Bender, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

### SENATE AMENDMENTS TO HOUSE BILL

June 2, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 615 with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. When a defendant is charged with the crime of murder in the first degree as defined in RCW 9A.32.030(1)(a), the prosecuting attorney or the prosecuting attorney's designee shall file a written notice of intention to request a proceeding to determine whether or not the death penalty should be imposed when the prosecution has reason to believe that one or more aggravating circumstances, as set forth in RCW 9A.32.045 as now or hereafter amended, was present and the prosecution intends to prove the presence of such circumstance or circumstances in a special sentencing proceeding under section 2 of this 1977 amendatory act.

The notice of intention to request the death penalty must be served on the defendant or the defendant's attorney and filed with the court within thirty days of the defendant's arraignment in superior court on the charge of murder in the first degree under RCW 9A.32.030(1)(a). The notice shall specify the aggravating circumstance or circumstances upon which the prosecuting attorney bases the request for the death penalty. The court may, within the thirty day period upon good cause being shown, extend the period for the service and filing of notice.

If the prosecution does not serve and file written notice of intent to request the death penalty within the specified time the prosecuting attorney may not request the death penalty.

**NEW SECTION.** Sec. 2. (1) If notice of intention to request the death penalty has been served and filed by the prosecution in accordance with section 1 of this 1977 amendatory act, then a special sentencing proceeding shall be held in the event the defendant is found guilty of murder in the first degree under RCW 9A.32.030(1)(a).

(2) If the prosecution has filed a request for the death penalty in accordance with section 1 of this 1977 amendatory act, and the trial jury returns a verdict of murder in the first degree under RCW 9A.32.030(1)(a), then, at such time as the verdict is returned, the trial judge shall reconvene the same trial jury to determine in a separate special sentencing proceeding whether there are one or more aggravating circumstances and whether there are mitigating circumstances sufficient to merit leniency, as provided in RCW 9A.32.045 as now or hereafter amended, and to answer special questions pursuant to subsection (10) of this section. The special sentencing proceeding shall be held as soon as possible following the return of the jury verdict.

(3) At the commencement of the special sentencing proceeding the judge shall instruct the jury as to the nature and purpose of the proceeding and as to the consequences of its findings as provided in RCW 9A.32.040 as now or hereafter amended.

(4) In the special sentencing proceeding, evidence may be presented relating to the presence of any aggravating or mitigating circumstances as enumerated in RCW 9A.32.045 as now or hereafter amended. Evidence of aggravating circumstances shall be limited to evidence relevant to those aggravating circumstances specified in the notice required by section 1 of this 1977 amendatory act.

(5) Any relevant evidence which the court deems to have probative value may be received regardless of its admissibility under usual rules of evidence: PROVIDED, That the defendant is accorded a fair opportunity to rebut any hearsay statements: PROVIDED FURTHER, That evidence secured in violation of the Constitutions of the United States or the state of Washington shall not be admissible.

(6) Upon the conclusion of the evidence, the judge shall give the jury appropriate instructions and the prosecution and the defendant or defendant's counsel shall be permitted to present argument. The prosecution shall open and conclude the argument to the jury.

(7) The jury shall then retire to deliberate. Upon reaching a decision, the jury shall specify each aggravating circumstance that it unanimously determines to have been established beyond a reasonable doubt. In the event the jury finds no aggravating circumstances the defendant shall be sentenced pursuant to RCW 9A.32.040(3) as now or hereafter amended.

(8) If the jury finds there are one or more aggravating circumstances it must then decide whether it is also unanimously convinced beyond a reasonable doubt there are not sufficient mitigating circumstances to merit leniency. If the jury makes such a finding, it shall proceed to answer the special questions submitted pursuant to subsection (10) of this section.

(9) If the jury finds there are one or more aggravating circumstances but fails to be convinced beyond a reasonable doubt there are not sufficient mitigating circumstances to merit leniency the defendant shall be sentenced pursuant to RCW 9A.32.040(2) as now or hereafter amended.

(10) If the jury finds that there are one or more aggravating circumstances and is unanimously convinced beyond a reasonable doubt that there are not sufficient mitigating circumstances to merit leniency, the jury shall answer the following questions:

(a) Did the evidence presented at trial establish the guilt of the defendant with clear certainty?

(b) Are you convinced beyond a reasonable doubt that there is a probability that the defendant would commit additional criminal acts of violence that would constitute a continuing threat to society?

The state shall have the burden of proving each question and the court shall instruct the jury that it may not answer either question in the affirmative unless it agrees unanimously.

If the jury answers both questions in the affirmative, the defendant shall be sentenced pursuant to RCW 9A.32.040(1) as now or hereafter amended.

If the jury answers either question in the negative the defendant shall be sentenced pursuant to RCW 9A.32.040(2) as now or hereafter amended.

Sec. 3. Section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040 are each amended to read as follows:

Notwithstanding RCW 9A.32.030(2), any person convicted of the crime of murder in the first degree shall be sentenced ~~((to life imprisonment))~~ as follows:

(1) If, pursuant to a special sentencing proceeding held under section 2 of this 1977 amendatory act, the jury finds that there are one or more aggravating circumstances and that there are not sufficient mitigating circumstances to merit leniency, and makes an affirmative finding on both of the special questions submitted to the jury pursuant to section 2(10) of this 1977 amendatory act, the sentence shall be death;

(2) If, pursuant to a special sentencing proceeding held under section 2 of this 1977 amendatory act, the jury finds that there are one or more aggravating circumstances but fails to find that there are not sufficient mitigating circumstances to merit leniency, or the jury answers in the negative either of the special questions submitted pursuant to section 2(10) of this 1977 amendatory act, the sentence shall be life imprisonment without possibility of release or parole. A person sentenced to life imprisonment under this subsection shall not have that sentence suspended, deferred, or commuted by any judicial officer, and the board of prison terms and paroles shall never parole a prisoner nor reduce the period of confinement. The convicted person shall not be released as a result of any type of good time calculation nor shall the department of social and health services permit the convicted person to participate in any temporary release or furlough program; and

(3) In all other convictions for first degree murder, the sentence shall be life imprisonment.

Sec. 4. Section 1, chapter 9, Laws of 1975-'76 2nd ex. sess. (Initiative Measure No. 316, section 1) and RCW 9A.32.045 are each amended to read as follows:

((A person is guilty of aggravated murder in the first degree when he commits murder in the first degree as defined in RCW 9A.32.030 under or accompanied by any of)) (1) In a special sentencing proceeding under section 2 of this 1977 amendatory act, the following shall constitute aggravating circumstances:

((1)) (a) The victim was a law enforcement officer or fire fighter and was performing his or her official duties at the time of the killing and the victim was known or reasonably should have been known to be such at the time of the killing.

((2)) (b) At the time of the act resulting in the death, the defendant was serving a term of imprisonment in a state correctional institution or had escaped or was on authorized or unauthorized leave from a state correctional institution, or was in custody in a local jail and subject to commitment to a state correctional institution.

((3)) (c) The defendant committed the murder pursuant to an agreement that ((he)) the defendant receive money or other thing of value for committing the murder.

((4)) (d) The defendant had solicited another to commit the murder and had paid or agreed to pay such person money or other thing of value for committing the murder.

((5) The defendant committed the murder with intent to conceal the commission of a crime, or to protect or conceal the identity of any person committing the same, or with intent to delay, hinder or obstruct the administration of justice by preventing any person from being a witness or producing evidence in any investigation or proceeding authorized by law or by influencing any person's official action as a juror)) (e) The murder was of a judge, juror, witness, prosecuting attorney, a deputy prosecuting attorney, or defense attorney because of the exercise of his or her official duty in relation to the defendant.

~~((6)) (f)~~ There was more than one victim and the said murders were part of a common scheme or plan, or the result of a single act of the defendant.

~~((7)) (g)~~ The defendant committed the murder in the course of ~~((or))~~, in furtherance of ~~((the crime of rape or kidnaping or in immediate flight therefrom))~~, or in immediate flight from the crimes of either (i) robbery in the first or second degree, (ii) rape in the first or second degree, (iii) burglary in the first degree, (iv) arson in the first degree, or (v) kidnaping in which the defendant intentionally abducted another person with intent to hold the person for ransom or reward, or as a shield or hostage, and the killing was committed with the reasonable expectation that the death of the deceased or another would result.

(h) The murder was committed to obstruct or hinder the investigative, research, or reporting activities of anyone regularly employed as a newsreporter, including anyone self-employed in such capacity.

(2) In deciding whether there are mitigating circumstances sufficient to merit leniency, the jury may consider any relevant factors, including, but not limited to, the following:

(a) The defendant has no significant history of prior criminal activity;

(b) The murder was committed while the defendant was under the influence of extreme mental disturbance;

(c) The victim consented to the homicidal act;

(d) The defendant was an accomplice in a murder committed by another person and the defendant's participation in the homicidal act was relatively minor;

(e) The defendant acted under duress or under the domination of another person;

(f) At the time of the murder, the capacity of the defendant to appreciate the criminality (wrongfulness) of his or her conduct or to conform his or her conduct to the requirements of law was substantially impaired as a result of mental disease or defect; and

(g) The age of the defendant at the time of the crime calls for leniency.

Sec. 5. Section 2, chapter 9, Laws of 1975-'76 2nd ex. sess. (Initiative Measure No. 316, section 2) and RCW 9A.32.046 are each amended to read as follows:

~~((A person found guilty of aggravated murder in the first degree as defined in RCW 9A.32.045, shall be punished by the mandatory sentence of death.))~~ Once a person is found guilty of ~~((aggravated))~~ murder in the first degree ~~((, as defined in RCW 9A.32.045))~~ under RCW 9A.32.030(1)(a) with one or more aggravating circumstances and without sufficient mitigating circumstances to merit leniency and the jury has made affirmative findings on both of the special questions submitted pursuant to section 2(10) of this 1977 amendatory act, neither the court nor the jury shall have the discretion to suspend or defer the imposition or execution of the sentence of death. ~~((Such sentence shall be automatic upon any conviction of aggravated first degree murder. The death sentence shall take place at the state penitentiary under the direction of and pursuant to arrangements made by the superintendent thereof. PROVIDED, That))~~ The time of such execution shall be set by the trial judge at the time of imposing sentence and as a part thereof.

Sec. 6. Section 3, chapter 9, Laws of 1975-'76 2nd ex. sess. (Initiative Measure No. 316, section 3) and RCW 9A.32.047 are each amended to read as follows:

In the event that the governor commutes a death sentence or in the event that the death penalty is held to be unconstitutional by the United States supreme court or the supreme court of the state of Washington ~~((in any of the circumstances specified in RCW 9A.32.045.))~~ the penalty under RCW 9A.32.046 ~~((for aggravated murder in the first degree in those circumstances))~~ shall be imprisonment in the state penitentiary for life without possibility of release or parole. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer, and the board of prison terms and paroles shall never parole a prisoner ~~((or))~~ nor reduce the period of confinement ~~((nor release the))~~. The convicted person shall not be released as a result of any ~~((automatic))~~ type of good time calculation nor shall the department of social and health services permit the convicted person to participate in any ~~((work))~~ temporary release or furlough program.

**NEW SECTION.** Sec. 7. (1) Whenever the death penalty is imposed, and upon the judgment becoming final in the trial court, the sentence shall be reviewed on the record by the supreme court of Washington. The clerk of the trial court, within ten days after receiving the transcript, shall transmit the entire record and transcript to the supreme court of Washington together with a notice prepared by the clerk and a report prepared by the trial judge. The notice shall set forth the title and docket number of the case, the name of the defendant and the name and address of the defendant's attorney, a narrative statement of the judgment, the offense, and the punishment prescribed. The report shall be in the form of a standard questionnaire prepared and supplied by the supreme court of Washington.

(2) The supreme court of Washington shall consider the punishment as well as any errors enumerated by way of appeal.

(3) With regard to the sentence, the court shall determine:

(a) Whether the evidence supports the jury's findings; and

(b) Whether the sentence of death is excessive or disproportionate to the penalty imposed in similar cases, considering both the crime and the defendant.

(4) Both the defendant and the state shall have the right to submit briefs within the time provided by the court, and to present oral argument to the court.

(5) The court shall include in its decision a reference to those similar cases which it took into consideration. In addition to its authority regarding correction of errors, the court, with regard to review of death sentences, shall be authorized to:

(a) Affirm the sentence of death; or

(b) Set the sentence aside and remand the case for resentencing by the trial judge based on the record and argument of counsel. The records of those similar cases referred to by the supreme court of Washington in its decision and the extracts prepared therefor shall be provided to the resentencing judge for the judge's consideration.

(6) The sentence review shall be in addition to direct appeal, if taken, and the review and appeal shall be consolidated for consideration. The court shall render its decision on legal errors enumerated, the factual substantiation of the verdict, and the validity of the sentence.

**NEW SECTION.** Sec. 8. There is added to chapter 9.01 RCW a new section to read as follows:

No person in the state shall be placed in legal jeopardy of any kind whatsoever for protecting by any reasonable means necessary, himself, his family, or his real or personal property, or for coming to the aid of another who is in imminent danger of or the victim of aggravated assault, armed robbery, holdup, rape, murder, or any other heinous crime.

When a substantial question of self defense in such a case shall exist which needs legal investigation or court action for the full determination of the facts, and the defendant's actions are subsequently found justified under the intent of this section, the state of Washington shall indemnify or reimburse such defendant for all loss of time, legal fees, or other expenses involved in his defense.

**NEW SECTION.** Sec. 9. Sections 1, 2, and 7 of this 1977 amendatory act shall constitute a new chapter in Title 10 RCW.

**NEW SECTION.** Sec. 10. If any provision of this 1977 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.

**NEW SECTION.** Sec. 11. This 1977 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, on line 1 of the title after "death penalty;" strike the remainder of the title and insert "amending section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.32.040; amending section 1, chapter 9, Laws of 1975-'76 2nd ex. sess. (Initiative Measure No. 316, section 1) and RCW 9A.32-.045; amending section 2, chapter 9, Laws of 1975-'76 2nd ex. sess. (Initiative Measure No. 316, section 2) and RCW 9A.32.046; amending section 3, chapter 9, Laws of 1975-'76 2nd ex. sess. (Initiative Measure No. 316, section 3) and RCW 9A.32.047; adding a new chapter to Title 10 RCW; adding a new section to chapter 9.01 RCW; prescribing penalties; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Smith moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 615.

Representatives Smith and Tilly spoke in favor of the motion.

### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Knedlik.

Mr. Knedlik: "Representative Smith, I'm interested in having you clearly indicate to me as Chairman of the Subcommittee on Capital Punishment, whether it is your understanding that the first paragraph of new section 8 is in fact simply a redaction of the existing language. The reason I'm interested in that is because at least two terms that I don't believe are defined anywhere in our state law or in the code, appear here. Particularly 'legal jeopardy' and 'heinous crime,' and I would have trouble voting for this bill unless I was confident and assured by you that you believe that this is a redaction of the existing language with regard to self-defense."

Mr. Smith: "Yes, Representative Knedlik, there is another term in the amendment that is not defined, and that is 'aggravated assault.' However, it is my understanding, and I do believe that taken as a whole, the self-defense is conditioned upon the use of reasonable means necessary to protect yourself, someone else who is under attack as indicated, or your property. I think that is consistent with our current law in RCW 9A.16.020(3)."

The motion was carried.

### POINT OF PARLIAMENTARY INQUIRY

Mr. Knowles: "This bill will require sixty-six votes for passage, will it not?"

The Speaker (Mr. O'Brien presiding): "The passage of this bill requires two-thirds of the constitutionally elected members of the House of Representatives, or sixty-six votes."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 615 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; nays, 24; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Heck, Hurley M., Keller, Kilbury, Knedlik, Knowles, Lee, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Sanders, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Burns, Charnley, Clemente, Douthwaite, Eng, Gruger, Hanna, Hawkins, Hurley G. S., King, Kreidler, Lysen, Maxie, Nelson D., Paris, Pruitt, Salatino, Shipoch, Valle, Warnke, Williams, Wilson, Zimmerman.

Not voting: Representatives Haley, Hughes, Leckenby, Lux, Moreau, Pardini.

Engrossed Substitute House Bill No. 615 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. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:30 a.m., Saturday, June 4, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, June 4, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Clemente, Douthwaite, Eng, Gruger, Haley, Leckenby, Lux, Lysen, Moreau, Newhouse, Oliver, Pardini, Struthers, Whiteside and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Sautter and Connie Lex. Prayer was offered by Reverend Wallace Misterek of the Trinity Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

June 3, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 447,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

June 2, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 619 with the following amendments:

On page 1, beginning on line 5 add new sections as follows:

\*Section 1. Section 7, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.050 are each amended to read as follows:

The director shall:

(1) Have the authority to organize the department into not more than two divisions, each headed by an assistant director;

(2) Have free access to all files and records of various funds assigned to the department ((for investment purposes)) and inspect and audit the files and records as deemed necessary;

(3) With the assistance of the state finance committee, prepare written reports at least quarterly summarizing the investment ((and bond management)) activities of the department, which reports shall be sent to the governor, to the senate ways and means committee((s of)), the house ((and senate, to members of the finance advisory)) appropriations committee, to all agencies having a direct financial interest in the investment of funds ((or issuance and sale of bonds by the director)), and to other persons on request;

(4) Employ personnel to carry out the general administration of the department;

(5) Submit an annual written report of the activities of the department to the governor and the legislature, including recommendations for statutory changes the director believes to be desirable;

(6) Adopt such rules and regulations as are necessary to carry out the powers, duties, and functions of the department pursuant to the provisions of chapter 34.04 RCW.

Sec. 2. Section 10, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.080 are each amended to read as follows:

The director and the state finance committee, with the approval of the respective boards, shall provide for the investment of all funds of the Washington public employees' retirement system, the teachers' retirement system, the Washington law enforcement officers' and fire fighters' retirement system, the Washington state patrol retirement system, the Washington judicial retirement system, and the judges' retirement fund, pursuant to RCW 43.84.150, and ((shall authorize)) may sell or exchange investments acquired in the exercise of that authority: PROVIDED, That the method of granting approval shall be determined by each board, respectively, in its sole discretion. The state finance committee ((to)) shall execute all such transactions. Nothing in this section or any other provision of law shall be construed to grant the director any investment powers other than as to funds of those retirement systems designated in this section.



Sec. 3. Section 7, chapter 103, Laws of 1973 1st ex. sess. as amended by section 112, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.050 are each amended to read as follows:

There is hereby created the investment advisory committee to consist of ~~((seven))~~ eight members to be appointed as hereinafter provided:

(1) One person shall be appointed annually by the Washington public employees' retirement board. One person shall be appointed annually by the board of trustees of the Washington state teachers' retirement system. The original members appointed pursuant to this subsection shall serve for one year, measured from July 1 of the year in which the appointment is made.

(2) ~~((Four))~~ Five persons shall be appointed by the state finance committee, who shall be considered experienced and qualified in the field of investments ~~((and shall not during the term of their appointment have a financial interest in or be employed by any investment brokerage or mortgage servicing firm doing business with the state finance committee or retirement board))~~. The original members appointed by the state finance committee shall serve as follows: One member shall serve a one-year term; one member shall serve for a term of two years; one member shall serve for a term of three years; and one member shall serve for a term of four years. All subsequent state finance committee appointees shall serve for terms of four years. All such appointive terms shall commence on July 1 of the year in which appointment is made.

(3) ~~((One member of the public pension commission or its successor who shall be one of the members appointed by the governor and who shall be appointed to the investment advisory committee by the members of the public pension commission for a two-year term from July 1 of each odd-numbered year))~~ The state actuary appointed under RCW 44.44.010 who shall serve for the period while holding the office of the state actuary.

No member during the term of his or her appointment or for two years thereafter shall have a financial interest in or be employed by any investment brokerage or mortgage servicing firm doing business with the state finance committee.

All vacancies shall be filled for the unexpired term. Each member shall hold office until his successor has been appointed and any member may be reappointed for additional terms.

The investment advisory committee shall meet at least quarterly at such times as it may fix.

Each member shall receive fifty dollars for each day or portion thereof spent discharging his official duties as a member of the advisory committee and travel expenses as provided in RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 4. Section 9, chapter 103, Laws of 1973 1st ex. sess. as amended by section 26, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.070 are each amended to read as follows:

In addition to its other powers and duties as may be prescribed by law, the investment advisory committee shall:

(1) Make recommendations as to general investment policies, practices, and procedures to the state finance committee and the director of retirement systems regarding those retirement funds for which the various retirement boards are designated trustees;

(2) Make recommendations as to general investment policies, practices, and procedures regarding all other investment funds to the state finance committee.

The director of retirement systems and the state finance committee shall make the final decision regarding the advice and recommendations submitted by the investment advisory committee."

Renumber the remaining sections consecutively

On page 6, after line 27, add sections as follows:

\*NEW SECTION. Sec. 7. There is added to chapter 41.50 RCW a new section to read as follows:

Any investments under RCW 43.84.150 shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.

NEW SECTION. Sec. 8. There is added to chapter 41.26 RCW a new section to read as follows:

Any investments under RCW 43.84.150 shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.

NEW SECTION. Sec. 9. There is added to chapter 41.40 RCW a new section to read as follows:

Any investments under RCW 43.84.150 shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.

NEW SECTION. Sec. 10. There is added to chapter 43.33 RCW a new section to read as follows:

The state finance committee shall prepare written reports at least quarterly summarizing the investment and bond management activities of the finance committee, which reports shall be sent to the governor, to the senate ways and means committee, the house appropriations committee, to members of the investment advisory committee, to all retirement boards, and other agencies having a direct financial interest in the investment of funds or issuance and sale of bonds by the committee, and to other persons on written request.

NEW SECTION. Sec. 11. There is added to chapter 43.33 RCW a new section to read as follows:

Any investments made by the state finance committee shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which men of prudence, discretion and intelligence

exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived."

On line 1 of the title, after "investments;" and before "amending" insert "amending section 7, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.050; amending section 10, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.080; amending section 7, chapter 103, Laws of 1973 1st ex. sess. as amended by section 112, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.050; amending section 9, chapter 103, Laws of 1973 1st ex. sess. as amended by section 26, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 43.33.070;"

Beginning on line 2 of the title after "RCW 43.84.150;" delete the remainder of the title and insert "adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 41.40 RCW; and adding new sections to chapter 43.33 RCW." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Substitute House Bill No. 619.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 619 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 619 as amended by the Senate and the bill passed the House by the following vote: Yeas, 71; nays, 0; not voting, 27.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Becker, Bender, Berentson, Bond, Burns, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Maxie, May, McCormick, Nelson D., Nelson G. A., O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpo, Smith, Sommers, Tallor, Thompson, Valle, Walk, Warnke, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Blair, Boldt, Chandler, Clemente, Douthwaite, Eng, Gruger, Haley, Leckenby, Lux, Lysen, Martinis, McKibbin, Moreau, Newhouse, North, Oliver, Pardini, Salatino, Struthers, Tilly, Vrooman, Whiteside, Williams, Wilson, Winsley.

Substitute House Bill No. 619 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

June 3, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 867 with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. LEGISLATIVE FINDING. It is the legislative finding that those employees who are presently members of the law enforcement officers' and fire fighters' retirement system may retain membership in this retirement system or may transfer into the parallel retirement system created by this act but in no instance shall there be any diminishment or loss of benefits or rights, whether current or prospective, of those employees, other than the provisions of disability, who retain their membership in the law enforcement officers' and fire fighters' retirement system and who were first employed on or before June 30, 1977.

**NEW SECTION.** Sec. 2. APPLICATION TO CERTAIN PERSONS. Sections 3 through 15 of this 1977 amendatory act shall, on or after July 1, 1977, apply only to:

(1) Those persons who are initially employed by an employer; or

(2) Those members who have transferred pursuant to section 16 of this 1977 amendatory act.

**NEW SECTION.** Sec. 3. COMPUTATION OF THE RETIREMENT ALLOWANCE. A member of the retirement system shall receive a retirement allowance equal to one and one-half percent of such member's final average salary for each year of service.

**NEW SECTION.** Sec. 4. RETIREMENT FOR SERVICE. (1) NORMAL RETIREMENT. Any member with five or more years of service who has attained at least age sixty shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act.

(2) EARLY RETIREMENT. Any member who has completed at least five years of service and attained age fifty-seven shall be eligible to retire and to receive a retirement allowance computed according

to the provisions of section 3 of this 1977 amendatory act, except that a member retiring pursuant to this subsection shall have the retirement allowance actuarially reduced to reflect the difference in the number of years between age at retirement and the attainment of age sixty.

**NEW SECTION, Sec. 5. POST-RETIREMENT COST-OF-LIVING.** Beginning July 1, 1979, and every year thereafter, the department shall determine the following information for each retired member or beneficiary whose retirement allowance has been in effect for at least one year:

- (1) The original dollar amount of retirement allowance;
  - (2) The index for the calendar year prior to the effective date of the retirement allowance, to be known as "index A";
  - (3) The index for the calendar year prior to the date of determination, to be known as "index B"; and
  - (4) The percentage amount when index B is divided by index A.
- The percentage obtained, if any, shall be the annual adjustment to the original retirement allowance and shall be applied beginning with the July payment. In no event, however, shall the annual adjustment:
- (a) Produce a retirement allowance which is lower than the original retirement allowance;
  - (b) Exceed six percent in the initial annual adjustment; or
  - (c) Differ from the previous year's annual adjustment by more than six percent.

For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index—Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**NEW SECTION, Sec. 6. EMPLOYER, MEMBER, AND STATE CONTRIBUTIONS.** The required contribution rates to the retirement system for members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: **PROVIDED**, That the cost of amortizing the unfunded supplemental present value of that portion of the retirement system, as in effect on June 30, 1977, shall be borne in full by the state.

The director shall notify the retirement board of any pending adjustment in the required contribution rate and such increase shall be announced at a board meeting held at least thirty days prior to the effective date of the change.

Members' contributions required by this section shall be deducted from the members basic salary each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute six and fifteen one hundredths percent of basic salary: **PROVIDED**, That the state shall initially contribute an additional twenty percent of basic salary per member to fund the cost of amortizing that portion of the unfunded supplemental present value of the retirement system as in effect on June 30, 1977: **PROVIDED FURTHER**, That for the 1977-1979 biennium the employer rate of contribution shall be borne by the state.

**NEW SECTION, Sec. 7. OPTIONS FOR PAYMENT OF RETIREMENT ALLOWANCES.** Upon retirement for service as prescribed in section 3 of this 1977 amendatory act, a member shall elect to have the retirement allowance paid pursuant to Option 1, 2, or 3 with Options 2 and 3 calculated so as to be actuarially equivalent to Option 1.

(1) **OPTION 1.** A member electing this option shall receive a retirement allowance payable throughout such member's life. However, if the retiree dies before the total of the retirement allowance paid to such retiree equals the amount of such retiree's accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department; or if there be no such designated person or persons still living at the time of the retiree's death, then to the surviving spouse; or if there be neither such designated person or persons still living at the time of death nor a surviving spouse, then to the retiree's legal representative.

(2) **OPTION 2.** A member who elects this option shall receive a reduced retirement allowance, which upon the member's death shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

(3) **OPTION 3.** A member who elects this option shall receive a reduced retirement allowance, and upon the member's death one-half of the retiree's reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

**NEW SECTION, Sec. 8. DISABILITY.** Members of the retirement system shall receive disability coverage pursuant to Title 51 RCW, as now or hereafter amended, and insurance coverage provided in whole or in part by employers.

**NEW SECTION, Sec. 9. APPLICATION FOR AND EFFECTIVE DATE OF RETIREMENT ALLOWANCES.** Any member or beneficiary eligible to receive a retirement allowance under the provisions of sections 4 or 11 of this 1977 amendatory act, or a member eligible to receive a transition allowance under

section 4 of this 1977 amendatory act, shall be eligible to commence receiving such allowance after having filed written application with the department.

(1) Retirement allowances paid to members under the provisions of section 4 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment.

(2) Retirement allowances paid to vested members no longer in service, but qualifying for such an allowance pursuant to section 4 of this 1977 amendatory act, shall accrue from the first day of the calendar month immediately following such qualification.

(3) Retirement allowances paid as death benefits under the provisions of section 11 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following the member's death.

**NEW SECTION.** Sec. 10. **SUSPENSION OF RETIREMENT ALLOWANCE UPON EMPLOYMENT.** No retiree under the provisions of sections 3 through 15 of this 1977 amendatory act shall be eligible to receive such retiree's monthly retirement allowance pursuant to section 4(1) and 4(2) of this 1977 amendatory act if such retiree enters service for any nonfederal public employer in this state.

Upon cessation of service for any nonfederal public employer in this state such retiree shall have benefits actuarially recomputed pursuant to the rules adopted by the department.

**NEW SECTION.** Sec. 11. **DEATH BENEFITS.** (1) Upon the death of a member who is not eligible for a retirement allowance pursuant to section 4 of this 1977 amendatory act, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death shall be paid to such person or persons having an insurable interest in such member's life as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) Upon the death of a member who is eligible for retirement, the surviving spouse or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in section 4(1) of this 1977 amendatory act actuarially adjusted to reflect Option 2 of section 7 of this 1977 amendatory act and if the member was not eligible for normal retirement at the date of death a further reduction as described in section 4(2) of this 1977 amendatory act. If a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority. If there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance, share and share alike, calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; or

(b) The member's accumulated contributions.

**NEW SECTION.** Sec. 12. **SERVICE CREDIT FOR AUTHORIZED LEAVE OF ABSENCE.** (1) A member who is on a paid leave of absence authorized by a member's employer shall continue to receive service credit as provided for under the provisions of sections 3 through 15 of this 1977 amendatory act.

(2) A member shall be eligible to receive a maximum of two years service credit during a member's entire working career for those periods when a member is on an unpaid leave of absence authorized by an employer. Such credit may be obtained only if the member makes the employer and member contributions plus interest as determined by the department for the period of the authorized leave of absence within five years of resumption of service or prior to retirement whichever comes sooner. The contributions required shall be based on the average of the member's basic salary at both the time the authorized leave of absence was granted and the time the member resumed employment.

A member who is inducted into the armed forces of the United States shall be deemed to be on an unpaid authorized leave of absence and may receive up to two years of service credit upon compliance with the conditions imposed by this section.

**NEW SECTION.** Sec. 13. **VESTED MEMBERSHIP.** A member who separates or has separated after having completed at least five years of service may remain a member during the period of such member's absence from service for the exclusive purpose only of receiving a retirement allowance under the provisions of section 4(1) or 4(2) of this 1977 amendatory act if such member maintains the member's accumulated contributions intact.

**NEW SECTION.** Sec. 14. **REFUND OF CONTRIBUTIONS.** A member who ceases to be an employee of an employer may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination by the employer; except that in the case of death, initial payment shall be made within thirty days of receipt of request for such payment. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under sections 3 through 15 of this 1977 amendatory act.

**NEW SECTION.** Sec. 15. **REENTRY.** A member, who as a previous member had left service and withdrawn the member's accumulated contributions, shall receive service credit for such prior service if the member restores the lesser of:

(1) All withdrawn accumulated contributions together with interest since the time of withdrawal as determined by the department; or

(2) The contributions which would have been required for such service pursuant to section 6 of this 1977 amendatory act plus interest thereon as determined by the department.

The restoration of such funds must be completed within five years of the resumption of service or prior to retirement, whichever occurs first.

**NEW SECTION. Sec. 16. TRANSFER.** (1) Members of the system who established membership on or before June 30, 1977, may irrevocably elect to be covered by sections 3 through 15 of this 1977 amendatory act. Such election shall be held pursuant to rules adopted by the department.

(2) Upon electing to be governed by sections 3 through 15 of this 1977 amendatory act, the member shall:

(a) Be subject to the membership provisions and benefit accrual provided for in sections 3 through 15 of this 1977 amendatory act; and

(b) Receive a refund of that portion of accumulated member contributions that represents the difference between the contribution required by section 6 of this 1977 amendatory act and RCW 41.26.080.

(3) The department shall provide each member eligible to make the election under this section with information which:

(a) Notifies the member of the election provision;

(b) Provides a comparison of system benefits; and

(c) Describes the potential refund available.

(4) The provisions of this section shall terminate on June 30, 1982.

Sec. 17. Section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the 'Washington law enforcement officers' and fire fighters' retirement system' provided herein.

(2) (a) 'Employer' for persons who establish membership in the retirement system on or before June 30, 1977, means the legislative authority of any city, town, county or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the fire fighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or fire fighters as defined in this chapter.

(b) 'Employer' for persons who establish membership in the retirement system on or after July 1, 1977, means the legislative authority of any city, town, county, or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter.

(3) 'Law enforcement officer' means any person who is serving on a full time, fully compensated basis as a county sheriff or deputy sheriff, including sheriffs or deputy sheriffs serving under a different title pursuant to a county charter, city police officer, or town marshal or deputy marshal, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14-.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers; and

(d) The term 'law enforcement officer' also includes the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended) if such individual has five years previous membership in the retirement system established in chapter 41.20 RCW: **PROVIDED, That for persons who establish membership in the retirement system on or after July 1, 1977, the provisions of this subparagraph shall not apply.**

(4) 'Fire fighter' means:

(a) any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for fire fighter, or fireman if this title is used by the department, and who is actively employed as such;

(b) anyone who is actively employed as a full time fire fighter where the fire department does not have a civil service examination;

(c) supervisory fire fighter personnel;

(d) any full time executive secretary of an association of fire protection districts authorized under chapter 52.08 RCW: **PROVIDED, That for persons who establish membership in the retirement system on or after July 1, 1977, the provisions of this subparagraph shall not apply;**

(e) the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW: **PROVIDED, That for persons who establish**

membership in the retirement system on or after July 1, 1977, the provisions of this subparagraph shall not apply;

(f) any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for fireman or fire fighter; and

(g) any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971 was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW.

(5) 'Retirement board' means the Washington public employees' retirement system board established in chapter 41.40 RCW, including two members of the retirement system and two employer representatives as provided for in RCW 41.26.050. The retirement board shall be called the Washington law enforcement officers' and fire fighters' retirement board and may enter in legal relationships in that name. Any legal relationships entered into in that name prior to the adoption of this 1972 amendatory act are hereby ratified.

(6) 'Surviving spouse' means the surviving widow or widower of a member. The word shall not include the divorced spouse of a member.

(7) 'Child' or 'children' whenever used in this chapter means every natural born child and stepchild where that relationship was in existence prior to the date benefits are payable under this chapter, posthumous child, child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter, ((stepchild)) and illegitimate child legitimized prior to the date any benefits are payable under this chapter, all while unmarried, and either under the age of eighteen years or mentally or physically handicapped as determined by the retirement board except a handicapped person in the full time care of a state institution. A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(8) 'Member' means any fire fighter, law enforcement officer, or other person as would apply under subsections (3) or (4) of this section whose membership is transferred to the Washington law enforcement officers' and fire fighters' retirement system on or after March 1, 1970, and every law enforcement officer and fire fighter who is employed in that capacity on or after such date.

(9) 'Retirement fund' means the 'Washington law enforcement officers' and fire fighters' retirement system fund' as provided for herein.

(10) 'Employee' means any law enforcement officer or fire fighter as defined in subsections (3) and (4) above.

(11) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before June 30, 1977, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after July 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(12) (a) 'Final average salary' for persons who establish membership in the retirement system on or before June 30, 1977, means ((a)) (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; ((b)) (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; ((c)) (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; ((d)) (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) 'Final average salary' for persons who establish membership in the retirement system on or after July 1, 1977, means the monthly average of the member's basic salary for the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(13) (a) 'Basic salary' for persons who establish membership in the retirement system on or before June 30, 1977, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) 'Basic salary' for persons who establish membership in the retirement system on or after July 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, but shall exclude payments for deferred unused sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service: PROVIDED, That in any year in which a member serves in the legislature such member's basic salary shall be the greater of: (i) The basic salary the member would have received had such member not served in the legislature; or (ii) such member's actual basic salary received for law enforcement or fire fighting work and legislative service combined; any additional contributions to the retirement system required because basic salary under subparagraph (i) of this

subsection is greater than basic salary under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(14) (a) 'Service' for persons who establish membership in the retirement system on or before June 30, 1977, means all periods of employment for an employer as a fire fighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all months of service rendered by a member from and after his initial commencement of employment as a fire fighter or law enforcement officer, during which he worked for ten days or more, or the equivalent thereof, or was on disability leave or disability retirement. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. In addition to the foregoing, for members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, 'service' shall include ((a)) (i) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under his particular prior pension act, and ((b)) (ii) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160 or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act: PROVIDED, That if such member's prior service is not creditable due to the withdrawal of his contributions plus accrued interest thereon from a prior pension system, such member shall be credited with such prior service, as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to that which was withdrawn from the prior system by such member, as a law enforcement officer or fire fighter: PROVIDED FURTHER, That if such member's prior service is not creditable because, although employed in a position covered by a prior pension act, such member had not yet become a member of the pension system governed by such act, such member shall be credited with such prior service as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to the employer's contributions which would have been required under the prior act when such service was rendered if the member had been a member of such system during such period: AND PROVIDED FURTHER, That where a member is employed by two employers at the same time, he shall only be credited with service to one such employer for any month during which he rendered such dual service.

(b) 'Service' for persons who establish membership in the retirement system on or after July 1, 1977, means periods of employment by a member for one or more employers for which basic salary is earned for seventy or more hours per calendar month.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

Any person who is a member of the law enforcement officers' and fire fighters' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

If a member receives basic salary from two or more employers during any calendar year such member shall receive a total of not more than twelve months of service for such calendar year.

(15) 'Accumulated contributions' means the employee's contributions made by a member plus accrued interest credited thereon.

(16) 'Actuarial reserve' means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay his future benefits during the period of his retirement.

(17) 'Actuarial valuation' means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(18) 'Disability board' for persons who establish membership in the retirement system on or before June 30, 1977, means either the county disability board or the city disability board established in RCW 41.26.110.

(19) 'Disability leave' means the period of six months or any portion thereof during which a member is on leave at an allowance equal to his full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to persons who establish membership in the retirement system on or before June 30, 1977.

(20) 'Disability retirement' for persons who establish membership in the retirement system on or before June 30, 1977, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(21) 'Position' means the employment held at any particular time, which may or may not be the same as civil service rank.

(22) 'Medical services' for persons who establish membership in the retirement system on or before June 30, 1977, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered 'other medical expenses', provided that they have not been considered as 'hospital expenses'.

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopath licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic x-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when he is injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(23) 'Regular interest' means such rate as the department may determine.

(24) 'Retiree' for persons who establish membership in the retirement system on or after July 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(25) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(26) 'Director' means the director of the department.

(27) 'State actuary' means the person appointed pursuant to RCW 44.44.010(2).

**NEW SECTION.** Sec. 18. A select committee shall be appointed for the purpose of presenting findings and recommendations to the legislature not later than January 1, 1978, on the on-going employment of law enforcement and fire fighting personnel in state and local government. The findings and recommendations of such select committee shall include, but not be limited to, the development of an intergovernmental personnel training program, in-service training, and preferential hiring.

The committee shall consist of six members of the legislature: Three members shall be appointed by the speaker of the house of representatives from the house of representatives, one of whom shall be the chairman of the standing committee on local government and one of whom shall be the chairman of the standing committee on state government; three members shall be appointed by the president of the senate from the senate, one of whom shall be the chairman of the standing committee on local government and one of whom shall be the chairman of the standing committee on state government.

**NEW SECTION.** Sec. 19. A select committee shall be appointed for the purpose of presenting findings and recommendations to the legislature not later than January 1, 1978, on potential revenue needs of counties, cities and towns relative to any increased cost to such political subdivisions for retirement systems resulting from the passage of this 1977 amendatory act. Such potential revenue needs shall be presented in a manner reflecting the incremental costs of such system corresponding to the incremental growth in membership subsequent to the enactment of this 1977 amendatory act.

The select committee shall consist of six members of the legislature: Three members shall be appointed by the speaker of the house from the house of representatives, one of whom shall be the chairman of the standing committee on revenue; three members shall be appointed by the president of the senate from the senate, one of whom shall be the chairman of the standing committee on ways and means.

**NEW SECTION.** Sec. 20. There is added to chapter 41.26 RCW a new section to read as follows:

Notwithstanding any other provision of law to the contrary, the employer shall provide such information as required by the state actuary regarding the award of the disability leave allowance. Such information shall include, but shall not be limited to:

(1) The number of persons receiving disability leaves;

(2) The certified reason for disability; when the disability was initially incurred; and, if it was duty related;

(3) The disability leave allowance paid and for how long;

(4) The number of replacement personnel required to cover the loss of personnel on disability leave allowance and the resulting cost incurred; and,



(5) The age of the employee and the length of service at the time of the disability leave.

The employer shall also provide such information as required by the state actuary regarding disability and medical benefit costs including, but not limited to, those required under provisions of this chapter.

The information required by this section shall be from March 1, 1970, forward.

Sec. 21. Section 3, chapter 257, Laws of 1971 ex. sess. as last amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.045 are each amended to read as follows:

Notwithstanding any other provision of law after February 19, 1974 no law enforcement officer or fire fighter, may become eligible for coverage in the pension system established by this chapter, until he has met and has been certified as having met minimum medical and health standards: **PROVIDED**, That an elected sheriff or an appointed chief of police or fire chief, shall not be required to meet the age standard: **PROVIDED FURTHER**, That in cities and towns having not more than two law enforcement officers and/or not more than two fire fighters and if one or more of such persons do not meet the minimum medical and health standards as required by the provisions of this chapter, then such person or persons may join any other pension system that the city has available for its other employees: **AND PROVIDED FURTHER**, That for one year after February 19, 1974 any such medical or health standard now existing or hereinafter adopted, insofar as it establishes a maximum age beyond which an applicant is to be deemed ineligible for coverage, shall be waived as to any applicant for employment or reemployment who is otherwise eligible except for his age, who has been a member of any one or more of the retirement systems created by chapter 41.20 of the Revised Code of Washington and who has restored all contributions which he has previously withdrawn from any such system or systems.

Sec. 22. Section 4, chapter 257, Laws of 1971 ex. sess. as last amended by section 12, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.046 are each amended to read as follows:

By July 31, 1971, the retirement board shall adopt minimum medical and health standards for membership coverage into the Washington law enforcement officers' and fire fighters' retirement system act. In adopting such standards the retirement board shall consider existing standards recommended by the international association of chiefs of police and the international association of fire fighters, and shall adopt equal or higher standards, together with appropriate standards and procedures to insure uniform compliance with this chapter. The standards when adopted shall be published and distributed to each employer, and each employer shall adopt certification procedures and such other procedures as are required to insure that no law enforcement officer or fire fighter receives membership coverage unless and until he has actually met minimum medical and health standards: **PROVIDED**, That an elected sheriff or an appointed chief of police or fire chief shall not be required to meet the age standard. The retirement board may amend the minimum medical and health standards as experience indicates, even if the standards as so amended are lower or less rigid than those recommended by the international associations mentioned above. The cost of the medical examination contemplated by this section is to be paid by the employer.

Sec. 23. Section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.090 are each amended to read as follows:

Retirement of a member for service shall be made by the board as follows:

(1) Any member having five or more years of service and having attained the age of fifty years shall be eligible for a service retirement allowance and shall be retired upon his written request effective the first day following the date upon which the member is separated from service.

(2) Any member having five or more years of service, who terminates his employment with any employer, may leave his contributions in the fund. Any employee who so elects, upon attaining age fifty, shall be eligible to apply for and receive a service retirement allowance based on his years of service, commencing on the first day following his attainment of age fifty. This section shall also apply to a person who rendered service as a law enforcement officer or fire fighter, as those terms are defined in RCW 41.26.030, on or after July 1, 1969, but who was not employed as a law enforcement officer or fire fighter on March 1, 1970, by reason of his having been elected to a public office. Any member selecting this optional vesting with less than twenty years of service shall not be covered by the provisions of RCW 41.26.150, and his survivors shall not be entitled to the benefits of RCW 41.26.160 unless his death occurs after he has attained the age of fifty years. Those members selecting this optional vesting with twenty or more years service shall not be covered by the provisions of RCW 41.26.150 until the attainment of the age of fifty years: **PROVIDED**, That a member selecting this option, with less than twenty years of service credit, who shall die prior to attaining the age of fifty years, shall have paid from the Washington law enforcement officers' and fire fighters' retirement fund, to such member's surviving spouse, if any, otherwise to such beneficiary as the member shall have designated in writing, or if no such designation has been made, to the personal representative of his estate, a lump sum which is equal to the amount of such member's accumulated contributions plus accrued interest: **PROVIDED FURTHER**, That if the vested member has twenty or more years of service credit the surviving spouse or children shall then become eligible for the benefits of RCW 41.26.160 regardless of his age at the time of his death, to the exclusion of the lump sum amount provided by this subsection.

(3) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty and may not thereafter be employed as a law enforcement officer or fire fighter: **PROVIDED**, That for any member who is elected or appointed to the office of sheriff, chief of police, or fire chief, his election or appointment shall be considered as a waiver of the age sixty provision for retirement and nonemployment for whatever number of years remain in his present term of office and any succeeding periods for which he may be so elected or

appointed: **PROVIDED FURTHER**, That the provisions of this subsection shall not apply to any member who is employed as a law enforcement officer or fire fighter on March 1, 1970.

Sec. 24. Section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 5, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.160 are each amended to read as follows:

(1) In the event of the death of any member who is in active service, or who has vested under the provisions of RCW 41.26.090 with twenty or more years of service, or who is on disability leave or retired, whether for disability or service, his surviving spouse shall become entitled to receive a monthly allowance equal to fifty percent of his final average salary at the date of death if active, or the amount of retirement allowance the vested member would have received at age fifty, or the amount of the retirement allowance such retired member was receiving at the time of his death if retired for service or disability. The amount of this allowance will be increased five percent of final average salary for each child as defined in RCW 41.26.030(7), as now or hereafter amended, subject to a maximum combined allowance of sixty percent of final average salary: **PROVIDED**, That if the child or children is or are in the care of a legal guardian, payment of the increase attributable to each child will be made to the child's legal guardian.

(2) If at the time of the death of a vested member with twenty or more years service as provided above or a member retired for service or disability, the surviving spouse has not been lawfully married to such member for one year prior to his retirement or separation from service if a vested member, the surviving spouse shall not be eligible to receive the benefits under this section: **PROVIDED**, That if a member dies as a result of a disability incurred in the line of duty, then if he was married at the time he was disabled, his surviving spouse shall be eligible to receive the benefits under this section.

(3) If there be no surviving spouse eligible to receive benefits at the time of such member's death, then the child or children of such member shall receive a monthly allowance equal to thirty percent of final average salary for one child and an additional ten percent for each additional child subject to a maximum combined payment, under this subsection, of sixty percent of final average salary. When there cease to be any eligible children as defined in RCW 41.26.030(7), as now or hereafter amended, there shall be paid to the legal heirs of said member the excess, if any, of accumulated contributions of said member at the time of his death over all payments made to his survivors on his behalf under this chapter: **PROVIDED**, That payments under this subsection to children shall be prorated equally among the children, if more than one.

(4) In the event that there is no surviving spouse eligible to receive benefits under this section, and that there be no child or children eligible to receive benefits under this section, then the accumulated contributions shall be paid to the estate of said member.

(5) If a surviving spouse receiving benefits under the provisions of this section thereafter dies ((or remarries)) and there are children as defined in RCW 41.26.030(7), as now or hereafter amended, payment to the spouse shall cease and the child or children shall receive the benefits as provided in subsection (3) above.

(6) The payment provided by this section shall become due the day following the date of death and payments shall be retroactive to that date.

**NEW SECTION.** Sec. 25. There is added to chapter 41.26 RCW a new section to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before June 30, 1977: RCW 41.26.080, 41.26.090, 41.26.100, 41.26.110, 41.26.120, 41.26.130, 41.26.140, 41.26.150, 41.26.160, 41.26.190, 41.26.200, 41.26.240, 41.26.250 except as otherwise provided in section 5 of this 1977 amendatory act, RCW 41.26.260 and 41.26.270.

**NEW SECTION.** Sec. 26. Section headings used in this 1977 amendatory act shall not constitute any part of the law.

**NEW SECTION.** Sec. 27. Sections 1 through 16 of this 1977 amendatory act shall be added to chapter 41.26 RCW and shall be codified as consecutive sections of the Revised Code of Washington within such chapter.

**NEW SECTION.** Sec. 28. If any provision of this 1977 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.

**NEW SECTION.** Sec. 29. This 1977 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 July 1, 1977."

On page 1, line 4 of the title after "RCW 41.26.030;" insert "amending section 3, chapter 257, Laws of 1971 ex. sess. as amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.045; amending section 4, chapter 257, Laws of 1971 ex. sess. as last amended by section 12, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.046; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.090; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 5, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.160;"

On page 1, line 5 of the title after "chapter 41.26 RCW;" insert "creating new sections;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Sommers, the House refused to concur in the Senate amendments to Substitute House Bill No. 867, and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Sommers, McKibbin and Newhouse as conferees on Substitute House Bill No. 867.

## MESSAGE FROM THE SENATE

June 3, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, except the amendment to page 8, line 2, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Goltz, Bluechel, Grant.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Hawkins, the House refused to recede from its amendment to Engrossed Substitute Senate Bill No. 2877, and granted the request of the Senate for a conference thereon.

## REPORTS OF STANDING COMMITTEES

June 2, 1977

HOUSE BILL NO. 1188, Prime Sponsor: Representative Martinis, allowing department of fisheries to deposit revenues into funds other than the general fund when so provided by law. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Boldt, Chandler, Charette, Heck, Hughes, Keller, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

June 2, 1977

ENGROSSED SENATE BILL NO. 2441, Prime Sponsor: Senator Donohue, providing for disbursement of certain funds to counties to upgrade certain horse race courses. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Bauer, Becker, Boldt, Chandler, Charette, Hawkins, Heck, Hughes, Keller, Lee, Maxie, Pardini, Taller, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

June 2, 1977

ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, Prime Sponsor: Senator Donohue, adopting the 1977-79 capital budget. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike everything after the enacting clause and insert:

**NEW SECTION.** Section 1. A capital budget is hereby adopted and subject to the provisions hereinafter set forth the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the specific purposes by individual amounts designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1979, out of the several funds hereinafter named.

**NEW SECTION.** Sec. 2. Any capital improvements or capital project involving construction or major expansion of a state office facility, to include district headquarters, detachment offices, and off-campus faculty offices shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while insuring proper service to the public.

**NEW SECTION.** Sec. 3. As used in this act the following phrases shall have the following meanings:

- (1) 'GF, Cap Bldg Constr Acct' means General Fund—Capitol Building Construction Account;
- (2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
- (3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
- (4) 'General Fund—ORA' means General Fund—Outdoor Recreation Account;
- (5) 'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;

- (6) 'GF, For Dev Acct' means General Fund—Forest Development Account;
  - (7) 'GF, Res Mgmt Acct' means General Fund—Resource Management Account;
  - (8) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
  - (9) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—
- Department of Social and Health Services Facilities;
- (10) 'DSHS Constr Acct' means State Social and Health Services Construction Account;
  - (11) 'CEP & RI Acct' means Charitable, Educational, Penal and Reformatory Institutions Account;
  - (12) 'MV Fund—State' means Motor Vehicle Fund—State;
  - (13) 'GF, Fire Trng Constr Acct' means General Fund—Fire Training Construction Account;
  - (14) 'WSU Bldg Acct' means Washington State University Building Account;
  - (15) 'St H Ed Constr Acct' means State Higher Education Construction Account;
  - (16) 'Off/Lab Constr Acct' means Office/Laboratory Construction Account;
  - (17) 'Com Sch Constr Fund' means Common School Construction Fund;
  - (18) 'EWSC Cap Proj Acct' means Eastern Washington State College Capital Projects Account;
  - (19) 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;
  - (20) 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;
  - (21) 'Com Col Cap Proj Acct' means Community College Capital Projects Account;
  - (22) 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;
  - (23) 'CWSC Cap Proj Acct' means Central Washington State College Capital Projects Account;
  - (24) 'UW Bldg Acct' means University of Washington Building Account;
  - (25) 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;
  - (26) 'WWSC Cap Proj Acct' means Western Washington State College Capital Projects Account;
  - (27) 'WSU Constr Acct' means Washington State University Construction Account;
  - (28) 'GF, PNW Fes Fac Constr Acct' means General Fund—Pacific Northwest Festival Facilities Construction Account; and
- (29) The words 'capital improvements' or 'capital projects' used herein shall mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

**NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Estimated Total Cost of Projects	\$48,547,000
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**Biennial Amounts By Fund Source**

	Carryover	Current	Total
GF, Cap Bldg Constr Acct	2,097,000	4,206,000	6,303,000
GF, State Bldg Constr Acct	5,179,000	10,134,000	15,313,000
General Fund—ORA	0	958,000	958,000
General Fund—Outdoor Recreation			
Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.	0	959,000	959,000
<b>Total Funds</b>	<b>7,276,000</b>	<b>16,257,000</b>	<b>23,533,000</b>

- (1) Install central chiller plant, air conditioning, and remodel legislative facilities.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		166,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,870,000	0	2,036,000	11/30/77

- (2) Complete construction of Office Building No. 2, remodeling of Insurance Building, and structural renovation of Legislative Building.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		1,300,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date

6/30/77	Thereafter		
21,550,000	0	22,850,000	6/30/79

(3) Complete Insurance Building renovation.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		554,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
2,086,000	0	2,640,000	6/30/79

(4) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		200,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
105,000	0	305,000	6/30/79

(5) Modify computer area to include uninterruptible power source system, security system, air conditioning, and raised flooring for wiring raceways.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		50,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
989,000	0	1,039,000	9/1/77

(6) Extend steam lines to Employment Security Building.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		25,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
75,000	0	100,000	9/1/77

(7) Replace heating and cooling coils and rearrange dampers in the Highway Licenses Building, Employment Security Building, and Archives Building.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		200,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date

6/30/77	Thereafter		
88,000	0	288,000	11/1/77

(8) Replace existing deficient oil delivery and storage facility.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		225,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
32,000	0	257,000	12/31/77

(9) Complete landscaping of Office Building No. 2.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		50,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
218,000	0	268,000	8/1/77

(10) Renovate Old Capitol Building to conform to health and safety requirements of the Occupational Safety and Health Act, building and fire codes, and provide access to the handicapped and aged.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		3,558,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
22,000	0	3,580,000	11/1/79

(11) Remodel and maintain Capitol Campus buildings and grounds.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		160,000	1,190,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,052,000	0	2,402,000	1/1/78

(12) Maintain Deschutes Basin, dam, and area landscaping.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		10,000	25,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
24,000	70,000	129,000	1/1/78

(13) Rehabilitate Capitol Lake by dredging lake bottom, disposing of sediment, and constructing settling basin and waterway improvements. The appropriations and reappropriations contained in this subsection shall be expended exclusively to rehabilitate Capitol Lake and shall be subject to the following conditions and limitations:

(a) No dredging, waterway improvement, sediment collection or disposal, or any other rehabilitation work or improvements shall be done on any portion of the lake south of the interstate highway bridge except to the extent such work is necessary to prevent substantial change in the present condition of such portion of the lake;

(b) The lake bottom shall be dredged and the sediment properly disposed of;

(c) A settling basin and waterway improvements shall be constructed;

(d) The department may acquire property which is contiguous to Percival Cove to be used for additional recreational and parking purposes;

(e) The department, in cooperation with the department of ecology, shall identify the extent and sources of pollution in the lake;

(f) The department shall consider all possible alternatives for the acquisition and operation of any equipment necessary for the purposes of this section and shall use the most cost effective of such alternatives.

	REAPPROPRIATION		APPROPRIATION
GF, State Bldg Constr Acct		105,000	0
General Fund—ORA		0	958,000
General Fund—Outdoor Recreation Account appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.		0	959,000
<b>Total Funds</b>		<b>105,000</b>	<b>1,917,000</b>
<b>Project Costs Through 6/30/77</b>	<b>Estimated Costs 7/1/79 and Thereafter</b>	<b>Estimated Total Costs</b>	<b>Estimated Completion Date</b>
320,000	823,000	3,165,000	6/30/83

(14) Extend Office Building No. 2 central control and monitoring system to other campus buildings.

	REAPPROPRIATION		APPROPRIATION
GF, Cap Bldg Constr Acct		513,000	392,000
<b>Project Costs Through 6/30/77</b>	<b>Estimated Costs 7/1/79 and Thereafter</b>	<b>Estimated Total Costs</b>	<b>Estimated Completion Date</b>
50,000	0	955,000	1/31/79

(15) Design and construct campus street revisions and improvements for increased safety and upgraded circulation, and landscaping.

	REAPPROPRIATION		APPROPRIATION
GF, Cap Bldg Constr Acct		0	1,366,000
<b>Project Costs Through 6/30/77</b>	<b>Estimated Costs 7/1/79 and Thereafter</b>	<b>Estimated Total Costs</b>	<b>Estimated Completion Date</b>
504,000	6,317,000	7,396,000	3/31/83

(16) Connect last five west campus buildings to central chiller plant.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		160,000	927,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,087,000	6/30/79

(17) Design and planning funds for an office building to be located on the Capitol Campus.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	2,000,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	18,166,000	20,166,000	6/81

(18) Design and land purchase funds for the State Office Building in Spokane: PROVIDED, That such design shall limit parking stalls to a maximum of four hundred units and further provided that any site shall comply with the City of Spokane's urban development plan for mass transit and traffic control.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	3,153,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	28,272,000	31,425,000	10/80

(19) Design and land purchase for the State Office Building in Seattle.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	3,231,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	32,579,000	35,810,000	7/81

(20) Construction funds for a visitor's parking garage on the Capitol Campus.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	1,750,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,750,000	6/79

(21) Provide an interruptible emergency power source for the Office Building #2 computers (service centers 1 and 3).



		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		0	236,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	236,000	6/78

(22) Update Capitol Campus master plan.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		0	70,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	70,000	6/79

NEW SECTION. Sec. 5. FOR THE MILITARY DEPARTMENT

Estimated Total Cost of Projects \$2,006,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund	659,000	0	659,000
GF, State Bldg Constr Acct	0	1,148,000	1,148,000
Total Funds	659,000	1,148,000	1,807,000

(1) Construct new 150-man armory to replace existing armory at Aberdeen.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		285,000	0
GF, State Bldg Constr Acct		0	33,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
12,000	0	330,000	9/30/78

(2) Construct new 100-man armory to replace existing leased facility at Ephrata.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		220,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
5,000	0	225,000	6/30/78

(3) Provide preconstruction moneys for architectural and engineering work on future projects.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		39,000	0
GF, State Bldg Constr Acct		0	36,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	110,000	185,000	6/30/83

(4) Acquire land and construct a new 400-man armory at Vancouver.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		50,000	0
GF, State Bldg Constr Acct		0	513,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	563,000	6/30/79

(5) Provide for minor construction and site improvements to include asphalt paving, fencing, storage buildings, lighting, and retaining walls.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		65,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	72,000	137,000	6/30/83

(6) Replace 20 furnace fire units for improved energy consumption and lower maintenance costs.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	41,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	41,000	6/30/79

(7) Construct and equip 600-man armory at Camp Murray to replace obsolete facility in Tacoma.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	525,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	525,000	4/30/79

NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Estimated Total Cost of Projects \$140,622,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	1,501,000	0	1,501,000

General Fund—Federal	0	1,700,000	1,700,000
DSHS Constr Acct	22,974,000	19,054,000	42,028,000
CEP & RI Acct	169,000	718,000	887,000
GF, LIRA, DSHS Fac	18,445,000	0	18,445,000
Total Funds	43,089,000	21,472,000	64,561,000

The department shall provide a capital proposal to the 1978 legislative session which will provide the necessary security in the maintenance of the sexual psychopath program.

**NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTION PROGRAM**

Estimated Total Cost of Projects \$68,129,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	566,000	0	566,000
DSHS Constr Acct	10,000,000	8,138,000	18,138,000
CEP & RI Acct	95,000	522,000	617,000
Total Funds	10,661,000	8,660,000	19,321,000

(1) To provide fire and safety improvements, Washington State Penitentiary.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		136,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
15,000	0	151,000	2/78

(2) For remodeling of dental areas, Washington State Penitentiary.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	145,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	145,000	10/78

(3) To provide preliminary design, working drawings, and construction for food service and kitchen area, Washington State Penitentiary.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	1,993,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,993,000	10/79

(4) To convert former women's quarters to 50-bed minimum custody unit, Washington State Penitentiary.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	300,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	300,000	1/78

(5) To modify laundry facilities, Washington State Reformatory.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		60,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
70,000	0	130,000	6/79

(6) To modernize inmate residence living area, Washington State Reformatory.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		341,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
137,000	0	478,000	6/79

(7) To construct and equip maximum security facility, Washington State Reformatory, to be completed and in operation by August 15, 1979.

		REAPPROPRIATION	APPROPRIATION
DSH Constr Acct		10,000,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	0	10,300,000	6/79

(8) To provide fire and safety improvements, Washington State Reformatory.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	377,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	377,000	12/78

(9) To renovate and repair roofs, Washington Corrections Center.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	626,000
CEP & RI Acct		35,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
115,000	0	776,000	12/78

(10) To construct and equip work release housing unit, Indian Ridge Treatment Center.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		89,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
66,000	0	155,000	3/78

(11) To open and renovate work training release facility, Geiger Field.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	435,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	435,000	1/78

(12) To construct and equip a 100-bed honor camp.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	2,554,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	2,554,000	6/79

(13) To provide planning, design, and site selection funds for three maximum security facilities, one to have an intake/diagnostic unit.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	2,230,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	48,105,000	50,335,000	6/81

**NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

Estimated Total Cost of Projects \$5,768,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
General Fund—Federal	0	1,700,000	1,700,000
General Fund—State	15,000	0	15,000
CEP & RI Acct	0	156,000	156,000

DSHS Constr Acct	1,366,000	2,384,000	3,750,000
Total Funds	1,381,000	4,240,000	5,621,000

(1) To construct and equip three group homes.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	995,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	995,000	1/79

(2) To provide fire and safety improvements, Green Hill School.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		15,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
55,000	0	70,000	11/77

(3) To construct and equip four living units, Naselle Youth Camp.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		1,366,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
92,000	0	1,458,000	1/78

(4) To replace boiler and remodel steam plant, Maple Lane School.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	589,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	589,000	9/79

(5) To remodel dormitories at Mission Creek Youth Camp.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	111,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	111,000	12/78

(6) To expand and upgrade water system, Mission Creek Youth Camp.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	45,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	45,000	6/78

(7) To provide a contingency for site acquisition, construction, and equipping of a juvenile diagnostic center only if the Governor negotiates an agreement for transfer of Cascadia to the United States Government. The agreement shall provide for minimum reimbursement of \$1,700,000 from federal funds. No portion of this appropriation may be expended until all reimbursement has been received.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	800,000
General Fund—Federal		0	1,700,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	2,500,000	6/79

NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM

Estimated Total Cost of Projects \$10,861,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
DSHS Constr Acct	1,074,000	2,457,000	3,531,000
Total Funds	1,074,000	2,457,000	3,531,000

(1) To provide matching funds for construction and equipment of mental health wing, Children's Orthopedic Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		374,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
427,000	0	801,000	6/79

(2) Not later than January 1, 1978, the department shall provide the legislature with a revised project plan including reduced cost alternatives for constructing and equipping the new 32-bed residential facility at the child study and treatment center at Western State Hospital. No construction shall begin prior to approval of the revised project plan by the Senate Ways and Means Committee and the House Appropriations Committee.

(3) To provide design funds for 350-bed psychiatric hospital, Western State Hospital: PROVIDED, That such facility be designed to handle mentally ill offenders.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		700,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	6,285,000	6,985,000	6/80

(4) To renovate for accreditation, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	1,500,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,500,000	6/79

(5) To renovate utilities and roofs, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	553,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	553,000	8/78

(6) To construct fuel storage and conveyor system, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	354,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	354,000	2/79

(7) Preliminary design and working drawings to construct elevated water tower, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	50,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	668,000	3/79

**NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM**

Estimated Total Cost of Projects \$24,667,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
General Fund—State	920,000	0	920,000
DSHS Constr Acct	8,772,000	2,042,000	10,814,000



CEP & RI Acct	74,000	40,000	114,000
Total Funds	9,766,000	2,082,000	11,848,000

(1) To replace boilers, Phase II, Fircrest School.

	REAPPROPRIATION		APPROPRIATION
DSHS Constr Acct		292,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
75,775	0	368,000	1/79

(2) To repair and upgrade utilities, working drawings for repair of water, electrical and steam systems, Fircrest School.

	REAPPROPRIATION		APPROPRIATION
DSHS Constr Acct		133,000	1,309,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
33,000	0	1,475,000	1/79

(3) To renovate and construct, including upgrade of utilities and completion of Phase I, Rainier School.

	REAPPROPRIATION		APPROPRIATION
General Fund—State		405,000	0
DSHS Constr Acct		2,650,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
136,000	7,218,000	10,409,000	6/81

(4) To renovate, construct, equip, to include completion of Phase I, Lakeland Village.

	REAPPROPRIATION		APPROPRIATION
DSHS Constr Acct		4,612,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
158,000	0	4,770,000	9/78

(5) Not later than January 1, 1978, the department shall provide the legislature with revised plans for Phase II Lakeland Village. Such plans shall continue to include provisions for privacy for residents, but shall demonstrate more efficient and less costly building design and land use than the presently planned facilities and building configurations.

Such plan shall include but not be limited to:

- (a) Description and drawings of alternative facility plans.
- (b) Report of relationship of alternatives to required staffing.
- (c) Report of relationship of alternatives to effective energy conservation and efficient design.
- (d) Plans for consolidation or elimination of duplicative spaces.

No construction shall begin prior to approval of the revised plans by the Senate Ways and Means Committee and the House Appropriations Committee.

(6) To install new elevator for safety evaluation and traffic load, Yakima Valley School.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		125,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	0	135,000	9/77

(7) To provide fire alarms, School For The Blind.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		50,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	50,000	11/77

(8) To renovate kitchen, primary area, and Administration Building, School For The Blind.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		280,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	0	320,000	11/77

(9) To renovate and repair facilities and utility system, School For The Blind.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	633,000
CEP & RI Acct		0	40,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	673,000	7/78

(10) To provide fire and safety improvements, School For The Deaf.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		42,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	47,000	11/77

(11) To provide secondary source of power, School For The Deaf.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		44,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	44,000	11/77

(12) To remodel former superintendent's residence, School For The Deaf, to provide a recreation center for senior high students.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		30,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	30,000	10/77

(13) To demolish Watson Hall, School For The Deaf.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		18,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
26,000	0	44,000	10/77

(14) To provide for contractual design costs for three state residential training centers and for purchase of community sites that meet neighborhood approval. Estimated project completion date 12/78.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		785,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		through
			6/30/79
122,000	0	4,222,000	4,100,000

(15) To provide for design through working drawings for an education, therapy building, Interlake School.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	100,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	1,400,000	1,500,000	10/1/79

(16) To provide for site development and construction of a community educational facility for the developmentally disabled: PROVIDED, That the appropriation contained in this subsection is contingent upon acquisition of the former Nike-Ajax site from the Kent School District and department of health education and welfare.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		300,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	300,000	1/79

**NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE SERVICES AND SUPPORT SERVICES PROGRAM**

Estimated Total Cost of Projects \$31,197,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
DSHS Constr Acct	1,762,000	4,033,000	5,795,000
GF, LIRA, DSHS Fac	18,445,000	0	18,445,000
Total Funds	20,207,000	4,033,000	24,240,000

(1) To construct and equip community, Social and Health Services Facilities (Referendum 29).

		REAPPROPRIATION	APPROPRIATION
GF, LIRA, DSHS Fac		18,445,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
6,245,000	0	24,690,000	0

(2) To repair and improve utilities and facilities—Omnibus.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		1,200,000	1,800,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,467,000	0	4,467,000	6/79

(3) To provide contingency expenses on DSHS construction projects.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		202,000	300,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
383,000	0	885,000	6/79

(4) To provide for preplanning funds on future construction projects (1977-81).

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		200,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
239,000	0	439,000	6/79

(5) To research, design, and implement energy conservation and solar heating principles, both passive and active.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		160,000	433,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
123,000	0	716,000	6/79

(6) To convert the existing facility at Northern State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	1,500,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,500,000	1/78

NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF VETERANS' AFFAIRS

Estimated Total Cost of Projects \$9,442,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	239,000	219,000	458,000
General Fund—Federal	3,595,000	893,000	4,488,000
DSHS Constr Acct	2,144,000	519,000	2,663,000
CEP & RI Acct	200,000	0	200,000
Total Funds	6,178,000	1,631,000	7,809,000

(1) To provide fire, safety and health improvements at the Veterans' Home and Soldiers' Home including construction of a 78-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		186,000	0
General Fund—Federal		3,464,000	578,000
CEP & RI Acct		200,000	0
DSHS Constr Acct		1,935,000	519,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,520,000	0	8,402,000	6/79

(2) To repair sewer, Soldiers' Home.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		209,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
8,000	0	217,000	4/78

(3) To replace boilers at Soldiers' Home.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	169,000
General Fund—Federal		0	315,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	484,000	6/79

(4) To replace boilers at Veterans' Home.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		53,000	0
General Fund—Federal		131,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
17,000	0	201,000	3/78

(5) To repair and improve utilities and facilities—Omnibus.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	50,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	50,000	6/79

**NEW SECTION. Sec. 13. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

Estimated Total Cost of Projects	\$20,000,000
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**Biennial Amounts By Fund Source**

	Carryover	Current	Total
GF, PNW Fes Fac Constr Acct	0	5,000,000	5,000,000
General Fund—Federal	0	15,000,000	15,000,000
Total Funds	0	20,000,000	20,000,000

To construct a Pacific Northwest Festival Facility.

	REAPPROPRIATION		APPROPRIATION
GF, PNW Fes Fac Constr Acct		0	5,000,000
General Fund—Federal		0	15,000,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000,000	6/30/79

No portion of the appropriations contained in this section shall be expended until the state is in receipt of \$15,000,000 from the federal government, or so much thereof as to equal a 3 to 1 match, and which is sufficient to complete and make operational at least one of the three planned theatres in a phased construction plan. Should federal legislation dictate that the facility be owned by the federal government, the state moneys in this appropriation shall be granted to such federal administering agency which is representing the federal government.

NEW SECTION. Sec. 14. FOR THE DEPARTMENT OF ECOLOGY

	Estimated Total Cost of Projects		\$7,836,800
	Biennial Amounts By Fund Source		
	Carryover	Current	Total
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)	3,237,000	2,071,200	5,308,200
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)	616,000	378,600	994,600
Total Funds	3,853,000	2,449,800	6,302,800

(1) To construct ground water observation wells.

	REAPPROPRIATION		APPROPRIATION
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)		124,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
451,000	700,000	1,276,000	6/30/79

(2) To construct sanitary facilities at various state parks and Department of Social and Health Services institutions including sewage and sink waste disposal and sewage treatment facilities as provided by chapter 127, Laws of 1972 ex. sess.

	REAPPROPRIATION	APPROPRIATION
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)	2,037,000	

(a) Paradise Point	20,300
(b) Larrabee	20,300
(c) Conconully	42,200
(d) Yakima Sportsman	104,200
(e) Deception Pass	28,000
(f) Westport Light	36,000
(g) Ocean City	26,600
(h) Birch Bay	306,400
(i) Lake Wenatchee	8,300
(j) Mount Spokane	20,100
(k) South Whidbey	38,300
(l) Twanoh	64,700
(m) Fort Flagler	184,700
(n) Fay Bainbridge	30,100
(o) Ginkgo/Wanapum	10,000
(p) Sacajawea	93,300
(q) Dash Point	230,200
(r) Bogachiel	27,100
(s) Region II—Drainfields and septic tanks replacement in 2 parks	10,600
(t) Potholes	4,700
(u) Camp Wooten (ELC)	83,600
(v) Region II—120 sink waste drains in 13 parks	57,800
(w) Region I—Drainfield and septic tank replacement in 11 parks	57,700
(x) Region III—61 sink waste drains in 14 parks	33,100
(y) Region III—Solid waste transfer facilities in 9 parks	27,700
(z) Region III—Drainfield and septic tank replacement in 4 parks	25,700
(aa) Riverside	138,000
(bb) Oyehut—Ocean Beach Access	12,100
(cc) Region I—Solid waste transfer facilities in 3 parks	8,300
(dd) Region II—Solid waste transfer facilities in 14 parks	37,900
(ee) Dosewallips	18,100
(ff) Moran	225,000
(gg) Fields Spring	10,000
(hh) San Juan Islands	30,100

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,226,000	0	5,334,200	6/30/79

(3) To construct water supply facilities at various state parks as provided by chapter 128, Laws of 1972 ex. sess.

REAPPROPRIATION      APPROPRIATION

General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)

492,000

(a) Lake Chelan	25,400
(b) Deception Pass	7,200



(c) Fort Flagler	94,800
(d) Ocean City	15,000
(e) Kitsap Memorial	31,300
(f) Lyons Ferry	7,900
(g) Sun Lakes	16,500
(h) Lewis and Clark	17,000
(i) Loomis Lake	19,000
(j) Spencer Spit	10,000
(k) Sacajawea	6,600
(l) Belfair	18,000
(m) Lake Cushman	5,800
(n) Camp Wooten	29,200
(o) Fields Spring	18,100
(p) Jarrell Cove	7,400
(q) Ginkgo/Wanapum	11,300
(r) Bogachiel	25,400
(s) Beacon Rock	12,700

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
356,000	0	1,226,600	6/30/79

(4) For acquisition of land and construction of a hazardous waste disposal facility on the Hanford Reservation.

REAPPROPRIATION      APPROPRIATION

General Fund—State and Local Improvements Revolving Account Appropriation—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)

1,200,000      0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,200,000	6/30/79

NEW SECTION. Sec. 15. FOR THE STATE PARKS AND RECREATION COMMISSION

Estimated Total Cost of Projects      \$15,236,250

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund	179,000	0	179,000
General Fund—ORA	1,169,000	955,000	2,124,000
General Fund—Outdoor Recreation			
Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	1,709,000	1,113,000	2,822,000
General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3),			

chapter 129, Laws of 1972 ex. sess. (Referendum 28)	3,569,000	2,878,250	6,447,250
<b>Total Funds</b>	<b>6,626,000</b>	<b>4,946,250</b>	<b>11,572,250</b>

(1) To provide for unanticipated restoration and repairs to existing state park facilities.

		REAPPROPRIATION	APPROPRIATION
General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		0	222,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	500,000	922,000	6/30/83

(2) To construct, repair, and improve state park facilities.

		REAPPROPRIATION	APPROPRIATION
General Fund—State			
		179,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	179,000	6/30/79

(3) Schematics and preplanning as provided by chapter 129, Laws of 1972 ex. sess.

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		120,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	120,000	6/30/79

(4) Fort Ebey campground development.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	100,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		272,000	100,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	472,000	6/30/79

(5) Manchester campground development.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	118,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		345,000	118,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	581,000	6/30/79

(6) Fort Columbia State Park building and interpretive display renovation.

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		0	40,000
General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		0	40,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	80,000	6/30/79

(7) Deception Pass final acquisition around Pass Lake.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	200,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		0	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
928,000	0	1,328,000	6/30/79

(8) Reed Island—Initial development of the park.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	12,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	12,000	6/30/79

(9) Modernization and improvements at various parks as provided by section 4(3), chapter 129, Laws of 1972 ex. sess.

## REAPPROPRIATION      APPROPRIATION

General Fund—State and Local Improvement Revolving			
Account Appropriation—Public Recreation Facilities;			
Appropriated pursuant to section 4(3), chapter 129,			
Laws of 1972 ex. sess. (Referendum 28)			
		3,569,000	
(a) Fort Worden Conference Center			763,600
(b) Deception Pass			152,000
(c) Lake Wenatchee			16,900
(d) Lake Chelan			40,400
(e) Dash Point			102,600
(f) Twanoh			167,500
(g) Twin Harbors			98,300
(h) Peace Arch			8,900
(i) Pearygin Lake			80,000
(j) Camp Wooten (Camp Wooten ELC)			54,600
(k) Bridle Trails			28,200
(l) Rainbow Falls			70,900
(m) Curlew Lake			29,400
(n) Illahee			40,400
(o) Fort Canby			34,400
(p) Ocean City			18,800
(q) Fort Flagler			226,300
(r) Lake Osoyoos			99,500
(s) Ginkgo/Wanapum			29,100
(t) Region I—Reforestation and construction of fire protection trails in 8 parks			30,000
(u) Region II—Reforestation and construction of fire protection trails in 5 parks			29,000
(v) Region III—Reforestation and construction of fire protection trails in 3 parks			6,000
(w) Fields Spring			35,600
(x) Dosewallips			103,400
(y) Sequim Bay			16,300
(z) Fort Okanogan			29,100
(aa) Beacon Rock			9,300
(bb) Mount Spokane			45,750
(cc) Wenberg			13,400
(dd) Maryhill—House			44,100
(ee) Federation Forest—House			40,000
(ff) Lake Cushman—House			40,000
(gg) Horsethief Lake—House			41,000
(hh) Bogachiel—House			40,000
(ii) Camp Wooten (ELC)			6,500
(jj) Peace Arch			5,400
(kk) Kitsap Memorial			19,600

Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,248,000	0	7,433,250	6/30/79

(10) Haley property, land and frontage acquisition on Case Inlet.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	150,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		0	150,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	600,000	900,000	1/83

(11) Acquisition and development, including park sites, boating facilities, and historical and archaeological sites, excluding the Mercer Slough acquisition.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		1,169,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		692,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
598,000	0	2,459,000	6/30/79

(12) For acquisition and development of an ocean beach scenic corridor between Fort Casey state park and Fort Ebey state park up to a maximum width of four hundred feet.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	375,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.		0	375,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	750,000	12/77

(13) Mercer Slough additional land acquisition.

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		280,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	280,000	6/30/79

(14) Acquisition of land in Snoqualmie area for railroad interpretive center.

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		0	130,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	130,000	6/30/79

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF FISHERIES

Estimated Total Cost of Projects	\$65,796,000		
Biennial Amounts By Fund Source			
	Carryover	Current	Total
General Fund—Federal	945,000	3,073,000	4,018,000
GF, Fish Cap Proj Acct	2,555,000	4,840,000	7,395,000
General Fund—ORA	457,000	1,189,000	1,646,000
General Fund—Outdoor Recreation Account as provided by chapter 129, Laws of 1972 ex. sess.	560,000	596,000	1,156,000
Sal Enhmt Constr Acct	0	31,381,000	31,381,000
Total Funds	4,517,000	41,079,000	45,596,000

The appropriations contained in subsections (6) through (42) of this section shall be subject to the following conditions and limitations:

The productivity of any salmon propagation facility is very dependent on water quantity and quality. Since there is a limited number of water sources which meet the critical needs of a facility it is imperative that these sources are acquired. Therefore, site acquisitions and preliminary design shall be considered by the department as generally having priority over project development in the allocation of funds;

Prior to expending any moneys for the construction and development of any particular salmon propagation facility, except for site acquisition and preliminary design, the department shall give consideration to the following factors with respect to that facility:

The department's management authority over propagated salmon;

The level of expected Canadian interception on the propagated salmon and whether this would be acceptable;

Whether an acceptable agreement has been reached on the status of treaty Indian salmon harvest; and

Whether there can be a maximum harvest of propagated salmon with a tolerable impact on other salmonoid stocks, both natural and artificial, and on their environment. The department shall consult on this matter with the department of game;

To aid and advise the department in the performance of its functions as specified herein with regard to the salmon enhancement program, a salmon advisory council shall be created. The advisory council shall consist of ten members appointed by the governor; the director of the department of fisheries, who shall be chairman; the director of the department of game; one member of the senate to be appointed by the president of the senate; and one member of the house of representatives to be appointed by the speaker of the house of representatives. Of the appointive members two shall represent troll fishermen; two shall represent gillnet fishermen, of which one shall be from the Puget Sound area and one from the southwest Washington area; one shall represent purse seine fishermen; one shall represent owners of charter boats; two shall represent sportsmen; and two shall represent fish processors, of which one shall represent fresh or frozen fish processors and one shall represent canneries.

The advisory council shall be convened by the director prior to the decision to expend any funds for construction and development of any salmon propagation facility listed in subsections (6) through (42) of this section. The council shall advise the director with regard to the considerations listed herein and any other factors the council deems relevant with respect to the proposed facility.

Terms of the appointive members shall not exceed two years and shall continue until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

The director of the department of game, or his designee, shall receive reimbursement for travel expenses incurred in the performance of his duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. The legislative members or their designees, shall be deemed engaged in legislative business while in attendance upon the business of the council and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120 as now existing or hereafter amended.

Not more than the following amounts as listed in subsections (6) through (42) of this section shall be expended for the site acquisition, preliminary design, construction and development of such hereinabove described projects, which are ranked after site acquisition and exploration, survey, and design in order of their estimated benefit/cost ratio, with the project having the highest benefit/cost ratio being listed first.

(1) Renovations and improvements to meet safety, health and environmental regulations: PROVIDED, That all upgrading of domestic water supply facilities at all state hatcheries be completed by September 1, 1978.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	1,161,000
General Fund—Federal		0	813,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
681,000	2,600,000	5,255,000	6/30/83

(2) Replacements and alterations to maintain current production at various locations, state-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	2,053,000
General Fund—Federal		0	349,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
22,000	555,000	2,979,000	7/1/83

(3) Projects to improve operation and production efficiency at existing facilities.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	1,368,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	5,006,000	6,374,000	7/1/83

(4) Construction and improvements for shellfish research and production—State-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	258,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	480,000	738,000	7/1/81

(5) Fisheries related recreation activity—State-wide including acquisition and development of access facilities, boat launching facilities, and tour facilities at hatcheries.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		457,000	1,189,000
General Fund—Outdoor Recreation Account as provided by chapter 129, Laws of 1972 ex. sess. (Referendum 28)		560,000	596,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
125,000	6,825,000	9,752,000	6/30/83

(6) Land purchase for enhancement.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	2,165,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	2,165,000	7/1/79

(7) Exploration, survey, and preliminary design.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	386,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	700,000	1,386,000	7/1/79

(8) To construct and develop Skykomish Hatchery ground water system project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	137,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	137,000	11/30/78

(9) To construct and develop Percival Cove project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	348,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion



Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	348,000	12/31/78

(10) To construct and develop Johns Creek project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		190,000	0
GF, Fish Cap Proj Acct		190,000	0
Sal Enhmt Constr Acct		0	370,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	0	770,000	10/31/78

(11) To construct and develop streamside gravel incubators.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	339,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	339,000	9/31/78

(12) To construct and develop Klickitat acclamation pond.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	354,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	354,000	1/31/79

(13) To construct and develop Lewis River release pond.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	844,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	844,000	6/30/79

(14) To construct and develop Schorno Springs Pond—Nisqually River project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,008,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	1,008,000	6/30/79

(15) To construct and develop Bear Springs project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	228,000
Sal Enhmt Constr Acct		0	228,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	456,000	7/1/79

(16) To construct and develop Cedar River Springs rearing ponds.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	471,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	471,000	6/30/79

(17) To construct and develop Icy Creek rearing ponds.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	459,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	459,000	12/31/78

(18) To construct and develop Hunter Springs Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,408,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,408,000	12/31/78

(19) To construct and develop Cedar River gravel incubators.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	103,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	103,000	11/30/77

(20) To construct and develop Satsop Springs Pond project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	299,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	299,000	10/31/78

(21) To construct and develop Toutle River Hatchery project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	570,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	570,000	1/31/79

(22) To construct and develop Case Inlet project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	685,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	685,000	6/30/79

(23) To construct and develop Weyco Pond project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	168,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	168,000	10/31/78

(24) To construct and develop Hupp Springs project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	168,000
GF, Fish Cap Proj Acct		116,000	0
Sal Enhmt Constr Acct		0	168,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,000	0	456,000	6/30/78

(25) To construct and develop Cowlitz Hatchery rearing pond.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,160,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
92,000	0	1,252,000	6/30/79

(26) To construct and develop McAllister Springs Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	2,278,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
100,000	0	2,378,000	12/31/78

(27) To construct and develop Nooksack Hatchery expansion project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	3,239,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	3,239,000	3/31/79

(28) To construct and develop Lewis River Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,969,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,969,000	12/31/79

(29) To construct and develop Wynoochee River rearing ponds.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,131,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,131,000	3/31/79

(30) To construct and develop Lower Skagit River project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,790,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	0	1,790,000	7/1/79

(31) To construct and develop the spawning gravel restoration project.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		45,000	0
Sal Enhmt Constr Acct		0	520,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
192,000	0	757,000	6/30/79

(32) To construct and develop Simpson Hatchery additional pumps and distribution system.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	145,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	145,000	10/31/78

(33) To construct and develop South Fork Willapa Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,767,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,767,000	12/31/79

(34) To construct and develop Allison Springs Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	538,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	538,000	6/30/79

(35) To construct and develop the Skookumchuck Creek project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	615,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	615,000	9/30/78

(36) To construct and develop Cedar River spawning channel.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	859,000
Sal Enhmt Constr Acct		0	859,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,718,000	6/30/79

(37) To construct and develop Hurd Creek water supply.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	262,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	262,000	6/30/79

(38) To construct and develop Kalama Falls Hatchery release pond and water supply project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	656,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	656,000	9/30/78

(39) To construct and develop Stillaquamish River Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,144,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,144,000	5/31/80

(40) To construct and develop Garrison Springs Hatchery—Chambers Creek trap and holding project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	139,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	139,000	9/30/78

(41) To construct and develop the Naselle Salmon Complex.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	3,315,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	3,315,000	7/1/79

(42) To complete various enhancement projects state-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		2,204,000	0
General Fund—Federal		755,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
2,648,000	0	5,607,000	6/30/79

NEW SECTION. Sec. 17. FOR THE DEPARTMENT OF GAME

Estimated Total Cost of Projects \$49,021,582

Biennial Amounts By Fund Source

	Carryover	Current	Total
Game Fund—State	213,875	2,436,738	2,650,613
Game Fund—Federal	802,125	1,035,344	1,837,469
Game Fund—Local	19,000	204,000	223,000
General Fund—ORA	350,000	874,100	1,224,100
General Fund—Outdoor Recreation			
Account appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	350,000	359,400	709,400
Total Funds	1,735,000	4,909,582	6,644,582

(1) Critical resource acquisition, acquire lands for wildlife habitat, wildlife recreation, and public hunting state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		115,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		115,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
10,308,000	17,060,000	27,598,000	6/30/83

(2) Land acquisition, freshwater shorelands, acquire lands to provide public access to inland waters state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		10,000	275,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		10,000	275,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,938,000	760,000	3,268,000	6/30/83

(3) Critical resource development, develop lands to provide recreational opportunities for the public state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		120,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		120,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
908,000	2,038,000	3,186,000	6/30/83

(3A) Milltown Dike in the Skagit Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	25,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		0	25,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	50,000	6/30/79

(4) Freshwater shorelands development, development of facilities to provide public access to inland waters state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		105,000	574,100
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		105,000	59,400

The appropriations contained in this subsection shall be expended so that not more than the following amounts listed for each of the following projects shall be expended:

(a) Humptulips River—Grays Harbor County—boat launch	45,700
(b) Snohomish River—Snohomish County—boat launch	62,000
(c) Methow River—Okanogan County—Averill	25,000



(d) North Fork Lewis River—Cowlitz County—boat launch	40,000
(e) Chambers Lake—Thurston County—redevelop boat launch	43,000
(f) Yakima River—Yakima County—boat launch	43,000
(g) Corral Lake—Grant County—redevelop boat launch	40,000
(h) Heart Lake—Skagit County—float	7,000
(i) Skykomish River—Snohomish County—access road and parking	22,800
(j) Deep Lake—Stevens County—boat launch	31,000
(k) Badger Lake—Spokane County—parking and drainage	37,000
(l) Clear Lake—Thurston County—float	7,000
(m) Wynoochee River—Grays Harbor County—boat launch	35,000
(n) Methow River—Okanogan County—Rice	28,000
(o) Methow River—Okanogan County—Markham	23,000
(p) Bryant Lake—Snohomish County—boat launch	26,000
(q) Tokul Creek—King County—parking	20,000
(r) Potholes Reservoir—Grant County—enlarge boat launch area	66,000
(s) Loon Lake—Stevens County—boat launch	32,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,762,000	2,206,000	5,812,000	6/30/83

(5) Major repairs and replacements, provision of funds for unanticipated capital improvements at existing facilities.

	REAPPROPRIATION	APPROPRIATION
Game Fund—State	0	100,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Completion Date
100,000	200,000	6/30/83

(6) Snow Creek Research Station, complete construction of fish culture research station.

	REAPPROPRIATION	APPROPRIATION
Game Fund—Federal	530,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Completion Date
100,000	0	6/30/79

(7) Lower Columbia study, fish production feasibility study for the lower Columbia River.

	REAPPROPRIATION	APPROPRIATION
Game Fund—Federal	65,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	70,000	12/31/77

(8) Naches Hatchery, water supply development for raceways and hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		115,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	0	135,000	10/30/77

(9) Olympia Office Annex landscaping.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		2,500	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,500	0	8,000	7/29/77

(10) To construct Sunnyside WRA Irrigation System.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		4,000	0
Game Fund—Federal		12,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
16,000	0	32,000	7/30/77

(11) To construct pollution abatement facilities at the Skamania Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Federal		175,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
212,000	0	387,000	9/1/77

(12) For title insurance, appraisals, surveys, and relocation costs related to land acquisition and minor acquisitions.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	300,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	600,000	900,000	6/30/83

(13) To construct pollution abatement facilities at the Beaver Creek Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Federal		0	581,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	581,000	6/30/79

(14) Wells Wildlife Recreation Area (WRA), development of irrigation system for wildlife cover.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		0	89,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	89,000	6/30/79

(15) To construct ten miles of boundary fence around Wells Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		15,000	83,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	98,000	6/30/79

(16) To construct an equipment and storage shop at Wells Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		0	32,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	32,000	6/30/79

(17) Vancouver Hatchery, connect sewer to municipal system to meet codes.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	16,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	16,000	6/30/79

(18) To construct residences at L.T. Murray and Snoqualmie Wildlife Recreation Areas.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	20,500
Game Fund—Federal		0	61,500
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	82,000	6/30/79

(19) Develop irrigation system for wildlife species maintenance at Sherman Creek Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	8,000
Game Fund—Federal		0	24,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	32,000	6/30/79

(20) To construct seed storage facility at McNary Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	700
Game Fund—Federal		0	2,100
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	2,800	6/30/79

(21) To construct hay and feed barn at L.T. Murray Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	13,931
Game Fund—Federal		0	41,794
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	55,725	6/30/79

(22) To construct rearing pond at Calawah-Rayonier Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		4,000	0
Game Fund—Federal		4,000	0
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
27,000	0	35,000	7/30/77

(23) To construct intake revision system at Chambers Creek.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		3,000	0
Game Fund—Federal		3,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
3,000	0	9,000	7/30/77

(24) Dingell-Johnson, feasibility study on fish impoundment projects.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	1,500
Game Fund—Federal		0	4,500
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	6,000	6/30/79

(25) Purchase and install irrigation system for habitat development at Gloyd Seeps Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	5,250
Game Fund—Federal		0	15,750
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	21,000	6/30/79

(26) To construct habitat area and wildlife recreation area boundary fencing state-wide.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	46,753
Game Fund—Federal		0	140,257
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	185,000	372,010	6/30/83

(27) To construct storage building for farm machinery at Mount Vale ranch.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	4,875
Game Fund—Federal		0	14,625
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	0	19,500	6/30/79

(28) Improvement of water fowl hunting area at Sunnyside Wildlife Recreation Area by raising Griffin Lake.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	4,875
Game Fund—Federal		0	14,625
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	19,500	6/30/79

(29) To construct and/or improve one mile of dike to protect production and recreation land at Skagit Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	5,250
Game Fund—Federal		0	15,750
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	21,000	6/30/79

(30) To construct shop and storage area for equipment at the McNary Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	4,500
Game Fund—Federal		0	13,500
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	18,000	6/30/79

(31) To construct shop and storage area for equipment at Skagit Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	6,175
Game Fund—Federal		0	18,525
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	24,700	6/30/79

(32) To construct storage shed at Columbia Basin Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		4,375	0
Game Fund—Federal		13,125	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
13,000	0	30,500	9/30/77

(33) Purchase and install irrigation system for habitat development at Sinlahekin Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	5,500
Game Fund—Federal		0	16,500
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	22,000	6/30/79

(34) To construct shop and equipment storage building at Snoqualmie Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	6,675
Game Fund—Federal		0	20,025
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	26,700	6/30/79

(35) To construct Phase II of development of major trout production facility at the Waikiki Brood Pond at Spokane.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		70,000	414,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
30,000	713,000	1,227,000	9/30/77

(36) Move five brooder houses from Auburn Game Farm to South Tacoma Game Farm, and repair or replace brooder and holding pens state-wide.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	262,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	275,000	537,000	6/30/81

(37) Survey to establish boundaries of Wildlife Recreation Areas.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	8,300
Game Fund—Federal		0	24,950
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	33,250	6/30/79

(38) To construct and maintain fences state-wide.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		15,000	160,954
Game Fund—Federal		0	25,943
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
54,000	167,000	422,897	6/30/83

(39) Install areator in water supply to reduce trout mortality at Arlington Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	15,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	15,000	6/30/79

(40) To construct combination garage and storage building at the South Tacoma Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	14,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	14,000	6/30/79

(41) To construct concrete troughs to replace obsolete metal troughs.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	7,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	7,000	6/30/79

(42) To construct new residence at the Naches Hatchery.



		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	41,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	41,000	6/30/79

(43) Remodel existing storage area at Olympia warehouse to provide 3,300 square feet of office space and parking.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	80,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	107,000	187,000	6/30/81

(44) Auburn Game Farm Consolidation—Distribute existing Auburn facilities to Whidbey Island, South Tacoma, and Lewis County Game Farms, and sell Auburn Game Farm.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	235,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	235,000	6/30/79

(45) Relocate Auburn shop activities to Olympia after sale of Auburn Game Farm.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	575,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	1,546,000	2,121,000	6/30/83

(46) To construct underground electrical and telephone service lines to the Seward Park Hatchery, and remove overhead distribution system.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	25,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	25,000	6/30/79

(47) Site improvements—Paving and landscaping at Spokane and Ephrata offices.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	11,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	18,000	29,000	6/30/79

(48) Purchase of portable fish disease laboratory, and renovation of Puyallup laboratory.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	25,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	25,000	6/30/79

(49) Remodeling of Vancouver Game Office for increased capacity.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	13,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	13,000	6/30/79

(50) Notwithstanding any other provision of this section to the contrary, all capital projects relating to the Auburn Game Farm and shops shall be contingent upon the sale of the Auburn Game Farm at a sale value of not less than \$1,500,000 and final approval by the Office of Program Planning and Fiscal Management. Funds received from the sale of the Auburn Game Farm shall be deposited in the game fund—state.

NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF NATURAL RESOURCES

Estimated Total Cost of Projects		\$41,386,728
Biennial Amounts By Fund Source		
	Carryover	Total
General Fund—State	25,500	322,250
GF, For Dev Acct	387,000	1,087,000
GF, Res Mgmt Acct	5,538,500	15,920,750
CEP & RI Acct	0	198,000
General Fund—ORA	451,000	1,545,111
General Fund—Outdoor Recreation		
Account as provided by chapter 129, Laws of 1972 ex. sess.	414,000	1,311,617
Total Funds	6,816,000	20,384,728

(1) To construct southeast area office at Ellensburg. Construction of new headquarters complex in Kittitas County: PROVIDED, That the proceeds from the sale of the existing Ellensburg complex be deposited in the state general fund.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	259,000
GF, Res Mgmt Cost Acct		0	259,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	518,000	10/31/78

(2) Northwest area building renovation. Construction of additional space to provide office and timber sale auction facility.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		71,000	280,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	351,000	10/31/78

(3) To construct roads and bridges for access to state timber lands state-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		1,914,000	1,517,000
GF, For Dev Acct		387,000	500,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,484,000	3,000,000	9,802,000	6/30/83

(4) To construct irrigation systems to convert existing unproductive acreage to income producing land.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		2,845,000	4,923,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,490,000	4,000,000	13,258,000	6/30/83

(5) Right of way acquisition to permit access to state timber lands and lands with potential commercial development.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	740,000
GF, For Dev Acct		0	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	2,000,000	2,940,000	6/30/83

## (6) Forks seedling storage.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		8,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
8,000	0	16,000	6/30/79

## (7) Land development and tideland facilities, preparation of sites for commercial development.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		385,000	1,660,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
122,000	2,000,000	4,167,000	6/30/83

## (8) To construct lookout replacement.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	10,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	20,000	30,000	6/30/83

## (9) Larch Mountain, provide hydraulic hoist in auto shop for vehicle maintenance.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	6,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	6,000	6/30/78

## (10) To construct chemical and paint storage facility at Larch Mountain.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	20,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	20,000	9/30/77

(11) To construct storage building at Larch Mountain for storage of fire fighting vehicles and equipment.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	12,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	12,000	6/30/79

(12) To construct Hoh-Clearwater office, lab, and storage.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	55,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	55,000	10/31/78

(13) To construct addition to body shop for furnace and paint storage to meet fire codes.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	1,750
GF, Res Mgmt Cost Acct		0	1,750
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	3,500	6/30/79

(14) Youth and Honor Camp road and bridge materials.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	150,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	300,000	450,000	6/30/79

(15) To construct reforestation roads—Construction of access roads to isolated timber stands in need of rehabilitation.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	612,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	85,000	697,000	6/30/83

(15A) Acquire sites and construct trails for All-Terrain Vehicle utilization.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	46,450

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	46,450	6/30/79

(16) Recreation—Interagency Committee for Outdoor Recreation (IAC) projects—Implementation of IAC approved budget for development of recreation facilities state-wide.

	REAPPROPRIATION	APPROPRIATION
General Fund—ORA	451,000	1,047,661
General Fund—Outdoor Recreation Account as provided by section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	414,000	897,617

The appropriations contained in this subsection shall be expended so that not more than the following amounts listed for each of the following projects shall be expended:

(a) Foss Cove/Eagle Cliff on Cypress Island, Skagit County	119,500
(b) Cattle Point Lighthouse on San Juan Island development	41,500
(c) Mima Mounds stage 2 acquisition	176,000
(d) Douglas Falls near Colville	93,500
(e) Homestead redevelopment in Spokane County	79,500
(f) Yahoo Lake near Queets acquisition	17,500
(g) Mima Mounds stage I development	119,000
(h) Black River boat trail acquisition	18,000
(i) River Bend in Skagit County boating and camping development	79,500
(j) Cypress Head on Cypress Island in Skagit County—Development	75,500
(k) Overland Trail in Kitsap and Mason Counties to develop 14 miles of trail	66,000
(l) Samish Island parking acquisition (Skagit County)	25,000
(m) Yacolt Trail 3 mile extension (Clark County)	25,000
(n) Margaret McKenny expansion Capitol Forest, acquisition	6,000
(o) Blanchard Trail and Trailhead development (Skagit County)	38,500
(p) Lily Lake development (Skagit County)	34,000
(q) Howell Lake Trail (Mason County), develop 3-1/2 miles of trail	35,500
(r) Yahoo Lake development (NE of Queets)	48,000
(s) Mission Creek Trailhead acquisition (Mason County)	5,000
(t) Mima Trailhead Camp acquisition (Capitol Forest)	13,000
(u) Bald Point Trailhead acquisition (Mason County)	5,000
(v) Shelter Rock stage 2 development (Skamania County)	50,000
(w) Gibson Trail (Capitol Forest), to develop 13 miles of trail	143,000
(x) South Fork Hoh River acquisition	12,000
(y) Dagoon Creek Expansion	69,000
(z) Siouyon Trail (Clark/Skamania Counties), to develop 12 miles of trail	84,000
(aa) Lizzard Lake—Skagit County development	22,000
(bb) Upper Humptulips—Grays Harbor acquisition	20,000

(cc) Boulder Creek—Ferry County acquisition	5,000
(dd) Cypress Island acquisition	209,793
(ee) Mima Mounds stage III acquisition	180,000
(ff) Mima Mounds development	29,985

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,506,000	3,960,000	8,276,278	6/30/83

(17) Humptulips, garage and storage, replace unsafe wood structure for winter protection of fire vehicles.

	REAPPROPRIATION	APPROPRIATION
General Fund—State	0	16,000

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	16,000	6/31/78

(18) To construct cold storage facilities at Clearwater Honor Camp and at Enumclaw.

	REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct	0	47,000

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	47,000	6/30/79

(19) To construct additional shop and storage space at the southwest area headquarters.

	REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct	0	80,000

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	80,000	6/30/79

(20) To construct storage facility for centralized storage of fertilizer, seed, and hydro-mulch.

	REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct	105,000	0

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	105,000	6/30/79

(21) To construct gunnite or concrete lined water holes on ridgetops for use by helicopter for dipping water during fire operations.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		8,500	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	10,000	20,500	6/30/79

(22) To construct wells and distribution system for the seed orchard to provide irrigation and fire protection.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		73,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
12,000	0	85,000	6/30/79

(23) To construct facility at Bellingham head greenhouse to provide for mechanical handling of containerized plants.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		15,000	5,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000	6/30/79

(24) To construct hose drying facilities.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		17,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,000	0	20,000	6/30/79

(25) Bellingham packing shed, convert bulb house to a packing shed and cold storage area.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		10,000	10,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000	6/30/79

(26) To construct 3,000 square feet of office and laboratory space for forest land management center.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		105,000	0



Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	105,000	6/30/79

(27) Webster nursery—Land reclamation

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	50,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	50,000	6/30/79

(28) Paving of driveways and parking areas at south Puget Sound, southwest and northeast area headquarters.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	23,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	23,000	6/30/79

(29) To construct 15,000 square feet of lath house at the Bellingham nursery to provide holding area for seedlings.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		7,500	60,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	67,500	6/30/79

(30) Forest land management center, enlarge shop to accommodate large equipment.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	20,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000	6/30/79

(31) To construct additional storage space for fire fighting equipment at the central area headquarters.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	25,500
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	25,500	6/30/79

(32) To construct remote gas station at Larch Mountain Honor Camp.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	10,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	10,000	6/30/79

(33) To construct underground vaults to house remote weather sensing instruments.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	10,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	10,000	6/30/79

(34) Forest Land Management Center—Paving of parking area, access road, and drive circle to reduce dust problems.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	14,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	14,000	6/30/79

**NEW SECTION. Sec. 19. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

Estimated Total Cost of Projects \$5,916,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
General Fund—Outdoor Recreation			
Account Appropriation: Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	1,916,000	4,000,000	5,916,000
Total Funds	1,916,000	4,000,000	5,916,000

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		1,916,000	4,000,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through	7/1/79 and	Costs	Date

6/30/77	Thereafter		
0	0	5,916,000	6/30/79

The city of Olympia shall be granted from the general fund—outdoor recreation account appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess., \$1,000,000 for the development and construction of the Washington Center for the Performing Arts, and the city of Tacoma shall be granted \$1,000,000 from the same source, for renovation and restoration of the Roxy Theater project facility: PROVIDED, That such appropriations shall be contingent upon each city obtaining at least \$1,000,000 of the total project funds from federal government, local government and/or private sources.

NEW SECTION. Sec. 20. FOR THE UNIVERSITY OF WASHINGTON

Estimated Total Cost of Projects \$107,841,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
UW Bldg Acct	8,859,000	14,768,000	23,627,000
St Bldg Auth Constr Acct	9,000,000	0	9,000,000
Total Funds	17,859,000	14,768,000	32,627,000

No further real property which will affect a net addition to its real property holdings may be purchased or leased by the University of Washington in its northeast Seattle campus area. The University of Washington shall submit by January 1, 1978, to the appropriations committee of the house of representatives and the ways and means committee of the senate, its plan for the use of real property in its present ownership which is not now being used for teaching and/or research purposes.

(1) To construct, renovate, and equip teaching facilities in university hospital. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
St Bldg Auth Constr Acct		9,000,000	0
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Costs
Through 6/30/77	7/1/79 and Thereafter	Costs	7/1/77 Through 6/30/79
2,576,000	7,300,000	19,776,000	9,900,000

(2) To construct and equip renovations to building mechanical and electrical systems in Johnson Hall. Estimated project completion date 10/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		892,000	0
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Costs
Through 6/30/77	7/1/79 and Thereafter	Costs	7/1/77 Through 6/30/79
273,000	0	1,165,000	892,000

(3) To construct and equip Phase II and Phase III renovations in Bagley Hall. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		1,550,000	3,900,000
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Costs

Through 6/30/77	7/1/79 and Thereafter	Costs	7/1/77 Through 6/30/79
2,212,000	0	7,662,000	5,450,000

(4) To complete basement renovation in Kane Hall for audio-visual and closed circuit TV. Estimated project completion date 7/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		950,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
50,000	0	1,000,000	950,000

(5) To renovate building mechanical, electrical, and ventilation systems in Smith Hall. Estimated project completion date 9/77.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		200,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
1,563,000	0	1,763,000	200,000

(6) To renovate and equip offices and upgrade building structural, mechanical, and electrical systems in Health Sciences facilities. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		800,000	2,500,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
2,250,000	5,000,000	10,550,000	3,300,000

(7) To purchase and install color television equipment for KCTS-Channel 9. Estimated project completion date 12/77.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		725,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
775,000	0	1,500,000	725,000

(8) To construct and equip addition to Edmundson Pavilion. Estimated project completion date 8/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		40,000	1,976,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
63,000	0	2,079,000	2,016,000

(9) To design and construct new office, classroom, and library building for School of Social Work and Speech and Hearing Sciences. Estimated project completion date 8/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		333,000	6,144,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
23,000	0	6,500,000	6,477,000

(10) To provide design funds for a new undergraduate and graduate biology teaching building. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		229,000	248,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
89,000	9,528,000	10,094,000	477,000

(11) To provide planning funds for a consolidated facility for Marine Sciences and College of Fisheries. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		300,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
100,000	3,200,000	3,600,000	300,000

(12) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		2,800,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77

6/30/77	Thereafter		Through 6/30/79
8,367,000	26,333,000	41,000,000	6,300,000

(13) To construct and equip renovations to Gowan Hall. Estimated project completion date 3/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		20,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
432,000	0	452,000	20,000

(14) To construct and equip renovations to More Hall. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		20,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
680,000	0	700,000	20,000

NEW SECTION. Sec. 21. FOR WASHINGTON STATE UNIVERSITY

Estimated Total Cost of Projects \$79,995,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
WSU Bldg Acct	2,592,000	388,000	2,980,000
WSU Constr Acct	0	4,340,000	4,340,000 St H
Ed Constr Acct	4,730,000	7,286,000	12,016,000
Off/Lab Constr Acct	949,000	0	949,000
Total Funds	8,271,000	12,014,000	20,285,000

(1) To construct and equip teaching, research and office space for biosciences, Phase II. Estimated project completion date 7/77.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		870,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
8,915,000	0	9,785,000	870,000

(2) To construct and equip library addition. Estimated project completion date 2/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		103,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Costs

Through 6/30/77	7/1/79 and Thereafter	Costs	7/1/77 Through 6/30/79
6,027,000	0	6,130,000	103,000

(3) To construct and equip office and laboratory space for United States Department of Agriculture and National Weather Service. Estimated project completion date 11/77.

		REAPPROPRIATION	APPROPRIATION
Off/Lab Constr Acct		949,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
951,000	0	1,900,000	949,000

(4) To construct and equip classroom, laboratory, and office building for veterinary sciences. Estimated project completion date 8/78.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		3,860,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
7,890,000	0	14,029,000	6,139,000

(5) To construct warehousing structure for storage of hazardous chemicals. Estimated project completion date 7/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		79,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
240,000	0	319,000	79,000

(6) To construct and equip experimental animal laboratory. Estimated project completion date 8/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		411,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,224,000	0	1,635,000	411,000

(7) To construct swine center facilities at Hasting's Farm. Estimated project completion date 11/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		966,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
737,000	0	1,703,000	966,000

(8) To provide minor building alterations or renovations for safety, increased efficiency, and extension of building life. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		683,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,472,000	9,774,000	11,929,000	683,000

(9) To construct and equip modifications to existing utility production and distribution systems. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		345,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,806,000	7,036,000	9,187,000	345,000

(10) To construct and equip Computer Sciences and Mathematics Building, Phase I. Estimated project completion date 12/79.

		REAPPROPRIATION	APPROPRIATION
WSU Constr Acct		0	4,340,000
St H Ed Constr Acct		0	5,060,000
Total Appropriations		0	9,400,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
272,000	0	9,986,000	9,714,000

(11) To construct and equip new receiving and delivery facility. Estimated project completion date 9/78.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		5,000	0
Project	Estimated	Estimated	Estimated



Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Costs 7/1/77 Through 6/30/79
14,000	465,000	484,000	5,000

(12) To construct and equip Intercollegiate Center for Nursing Education: PROVIDED, That funds for construction purposes shall not be expended until not less than \$3,270,000 in federal funding is provided or secured. Estimated project completion date 4/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		0	2,226,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
183,000	0	5,679,000	5,496,000

(13) To provide design funds for renovation and addition to Wegner Hall: PROVIDED, That funds shall not be expended until federal construction funds for Wegner Hall are secured. Local plant funds may be expended for design purposes prior to the commitment of federal funds. If federal funds are secured the appropriation can be used to offset design costs funded with local plant funds. Estimated project completion date 12/89.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		0	388,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
0	6,841,000	7,229,000	388,000

NEW SECTION Sec. 22. FOR EASTERN WASHINGTON STATE COLLEGE

Estimated Total Cost of Projects \$9,231,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
EWSC Cap Proj Acct	825,000	2,941,000	3,766,000
St H Ed Constr Acct	1,207,000	0	1,207,000
Total Funds	2,032,000	2,941,000	4,973,000

(1) To perform minor capital improvements to comply with current fire and safety codes, and provide for handicap access. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		0	456,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	635,000	1,091,000	456,000

(2) To perform minor capital improvements to correct facility deficiencies and improve utilization. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		125,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
135,000	678,000	938,000	125,000

(3) To construct and equip utility loop system and implement energy conservation improvements. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		700,000	0
Total Funds		700,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
158,000	1,402,000	2,260,000	700,000

(4) To purchase moveable equipment for new Radio-TV Building. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		0	1,000,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
0	0	1,000,000	1,000,000

(5) To construct and equip new physical education field house. Estimated project completion date 12/78.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		1,207,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,250,000	0	2,457,000	1,207,000

(6) To construct and equip a new Aquatics Building. Estimated project completion date 6/78.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		0	1,485,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Costs 7/1/77 through 6/30/79
0	0	1,485,000	1,485,000

NEW SECTION. Sec. 23. FOR CENTRAL WASHINGTON STATE COLLEGE

Estimated Total Cost of Projects \$2,074,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
CWSC Cap Proj Acct	907,000	565,000	1,472,000
Total Funds	907,000	565,000	1,472,000

(1) To complete schematics on Barge Hall. Estimated project completion date 12/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		25,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
25,000	0	50,000	25,000

(2) Renovation and alterations to facilities. Estimated project completion date 5/78.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		293,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
167,000	0	460,000	293,000

(3) Utilities extensions, alterations, and repairs. Estimated project completion date 4/78.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		485,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
247,000	0	732,000	485,000

(4) To provide chilled water to Dean Hall. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		100,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through

			6/30/79
6,000	0	106,000	100,000

(5) To correct safety deficiencies in Art Building. Estimated project completion date 7/78.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	84,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	0	84,000	84,000

(6) To correct safety deficiencies on campus as defined by Washington Industrial Safety and Health Act. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	119,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	141,000	260,000	119,000

(7) To construct a botany instruction greenhouse. Estimated project completion date 8/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		4,000	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
16,000	0	220,000	204,000

(8) To provide building modifications for improved handicapped access. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	162,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	0	162,000	162,000

NEW SECTION. Sec. 24. FOR THE EVERGREEN STATE COLLEGE

Estimated Total Cost of Projects	\$17,951,000
Biennial Amounts By Fund Source	

	Carryover	Current	Total
St H Ed Constr Acct	1,852,000	365,000	2,217,000
TESC Cap Proj Acct	250,000	0	250,000
Total Funds	2,102,000	365,000	2,467,000

(1) To construct and equip Communications Laboratory. Estimated project completion date 1/79.

	REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct	1,500,000	0
TESC Cap Proj Acct	250,000	0
Total Funds	1,750,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
6,705,000	0	8,455,000	1,750,000

(2) To construct and equip Laboratory and Office Building. Estimated project completion date 7/78.

	REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct	337,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
5,951,000	0	6,288,000	337,000

(3) To improve lighting, recreational fields, and utilities. Estimated project completion date 1/78.

	REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct	15,000	165,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
110,000	0	290,000	180,000

(4) To design Phase II (gymnasium) for the College Recreation Center. Estimated project completion date 10/79.

	REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct	0	200,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
0	2,718,000	2,918,000	200,000

NEW SECTION, Sec. 25. FOR WESTERN WASHINGTON STATE COLLEGE

Estimated Total Cost of Projects

\$17,296,000

## Biennial Amounts By Fund Source

	Carryover	Current	Total
St Bldg Auth Constr Acct	46,000	0	46,000
St H Ed Constr Acct	5,124,000	0	5,124,000
WWSC Cap Proj Acct	1,908,000	481,000	2,389,000
Total Funds	7,078,000	481,000	7,559,000

(1) To construct and equip Auditorium/Music Building addition. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		1,837,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
574,000	0	2,459,000	1,885,000

(2) To construct and equip Environmental Studies Center. Estimated project completion date 12/78.

		REAPPROPRIATION	APPROPRIATION
St Bldg Auth Constr Acct		46,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
72,000	0	118,000	46,000

(3) To construct, equip, and remodel space for applied arts/science programs. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		177,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,310,000	0	1,487,000	177,000

(4) To construct, equip, and renovate Old Main, Phase II. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		3,072,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
604,000	0	3,676,000	3,072,000

(5) To construct and equip capital improvements to south campus fields and grounds. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		38,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
69,000	3,648,000	3,755,000	38,000

(6) To perform minor capital improvements to facilities on campus. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		354,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
435,000	802,000	1,617,000	380,000

(7) To provide safety and handicapped access improvements. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		0	331,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
0	150,000	481,000	331,000

(8) To design and install utility and energy conservation improvements to include joint feasibility study with City of Bellingham for common heat producing facility: PROVIDED, That the funds expended for a joint feasibility study shall not exceed \$30,000 or an amount in proportion with the projected utilization of the completed facility by the college, whichever is less. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		1,554,000	150,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
405,000	1,343,000	3,703,000	1,955,000

NEW SECTION. Sec. 26. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

Estimated Total Cost of Projects \$103,901,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	444,000	0	444,000
Com Col Cap Impvmt Acct	3,390,000	1,800,000	5,190,000

Com Col Cap Proj Acct	1,063,000	0	1,063,000
Com Col Cap Constr Acct	18,965,000	7,176,000	26,141,000
Total Funds	23,862,000	8,976,000	32,838,000

(1) To provide for future parking facility, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		444,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	444,000	6/79

(2) To provide for a new library and remodeling, Spokane Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		161,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,462,000	0	1,623,000	12/77

(3) To provide for a Learning Resource Center and remodeling, Lower Columbia Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		1,153,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,500,000	0	2,653,000	4/78

(4) To provide for a Learning Resource Center, Science and Health facility, Everett Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		393,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,800,000	0	2,193,000	12/77

(5) To provide for vocational facilities, Peninsula Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		92,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
600,000	0	692,000	12/77



(6) To provide for a Learning Resource Center, Spokane Falls Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		306,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
3,350,000	0	3,656,000	12/77

(7) To provide for vocational facilities, South Seattle Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		73,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
600,000	0	673,000	12/77

(8) To provide for a student center addition and remodeling, Yakima Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		179,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
400,000	0	579,000	12/77

(9) To provide for remodeling an Art and Music Building, Olympic Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		334,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,155,000	0	1,489,000	3/78

(10) To provide for a Student Activity Building, Walla Walla Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		80,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
448,000	0	528,000	3/78

(11) To provide for land acquisition, remodels and alterations at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		308,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
11,100,000	0	11,408,000	12/77

(12) To provide for the remodeling of Edison School, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		304,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,723,000	0	6,027,000	12/77

(13) To provide for construction, equipping, renovating, and alterations related to hazardous conditions at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		477,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	0	877,000	3/78

(14) To provide for alterations to alleviate deficient conditions.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		46,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
650,000	0	696,000	12/77

(15) To provide for a Trade and Industrial Building and remodeling, Spokane Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		1,266,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000,000	0	10,266,000	3/78

(16) To provide for a Science, Dining and Physical Education Facility, Edmonds Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		125,000	0
Com Col Cap Impvmt Acct		245,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
2,435,000	0	2,805,000	12/77

(17) To provide for a welding shop, Everett Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		292,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	0	442,000	6/78

(18) To provide for a Human Resources, Art and Vocational Facility, Edmonds Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		1,624,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000,000	0	2,624,000	6/78

(19) To provide for physical education locker space, Ft. Steilacoom Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		30,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	0	230,000	12/77

(20) To provide for a Learning Resource Center, Highline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		5,836,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000,000	0	6,836,000	6/78

(21) To provide for a Music Building, Shoreline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		423,000	0
Com Col Cap Impvmt Acct		66,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,240,000	0	2,729,000	12/77

(22) To provide for a Learning Resource Center, South Seattle Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		4,024,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
2,000,000	0	6,024,000	6/78

(23) To provide for a Fine Arts Building, Ft. Steilacoom Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		211,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
800,000	0	1,011,000	3/78

(24) To provide for a geology laboratory remodeling, Highline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		6,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	6,000	6/78

(25) To provide for a Learning Resource Center addition, Clark Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		179,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
600,000	0	779,000	3/78

(26) To provide for construction and equipment related to utility and lines, Highline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		321,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
900,000	0	1,221,000	3/78

(27) To provide for a Fine Arts Auditorium—Phase I, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		1,851,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
500,000	0	2,351,000	6/78

(28) To provide for remodeling Ehret Hall, Centralia Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		22,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
370,000	0	392,000	12/77

(29) To provide for a shop facility, Green River Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		130,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
300,000	0	430,000	3/78

(30) To provide for a greenhouse, Everett Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		81,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	81,000	6/78

(31) To provide for a vocational facility, Clark Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		706,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
200,000	0	906,000	6/78

(32) To provide for the purchase and remodel of a dormitory for office use, Olympic Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		90,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
800,000	0	890,000	3/78

(33) To provide for code compliance through remodeling or construction at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	1,585,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	1,668,000	3,253,000	6/79

(34) To provide improved handicapped access at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	864,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	864,000	6/79

(35) To repair roofs at Bellevue Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	268,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	268,000	10/77

(36) To construct minor capital projects at various campuses for improved efficiency and utilization of existing facilities.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	876,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	876,000	6/79

(37) To provide for unforeseen emergency capital repairs, to be administered by the state board.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		746,000	500,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
600,000	0	1,846,000	6/79

(38) Purchase, construct, equip and administer a pool of relocatables administered by the state board.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		75,000	325,000
Com Col Cap Proj Acct		338,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,624,000	0	11,362,000	6/79

(39) To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board. The appropriation contained in this subsection is contingent upon the enactment of chapter ... (SSB 2435), Laws of 1977 1st ex. sess.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	1,867,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,867,000	0

(40) To construct and equip the third floor auditorium for drama, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Proj Acct		625,000	0
Com Col Cap Constr Acct		0	489,000
Total Appropriations		625,000	489,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,114,000	6/79

(41) To complete the construction and equipping of the physical education facility, Walla Walla Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Proj Acct		100,000	0
Com Col Cap Constr Acct		100,000	173,000
Total Appropriations		200,000	173,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,500,000	0	1,873,000	12/77

(42) To provide for a performing arts vocational education multi-purpose classroom facility at Green River Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Imprvmt Acct		0	1,800,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,800,000	6/79

PROVIDED, That, the Green River Foundation match the appropriation with a \$40,000 grant to the Green River Community College for project planning and design.

PROVIDED FURTHER, That, upon approval of the legislature to proceed with the construction phase of the project the Green River Foundation will provide a grant of \$460,000 to the Green River Community College.

(43) To provide for the design of vocational and office facilities, Lower Columbia Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	229,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	4,988,000	5,217,000	8/80

**NEW SECTION. Sec. 27. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION**

Estimated Total Cost of Projects \$467,108,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
Com Sch Constr Fund	91,467,000	149,049,000	240,516,000
Total Funds	91,467,000	149,049,000	240,516,000

To provide for public school building planning, construction, remodeling and demolition.

		REAPPROPRIATION	APPROPRIATION
Com Sch Constr Fund		91,467,000	149,049,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
76,592,000	150,000,000	467,108,000	N/A

**NEW SECTION. Sec. 28. FOR THE STATE LIBRARY**

Estimated Total Cost of Projects \$1,784,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
GF, State Bldg Constr Acct	0	178,000	178,000
Total Funds	0	178,000	178,000

Cooperative storage and lending center.

	REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct	0	178,000



Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,784,000	9/78

**NEW SECTION. Sec. 29. FOR THE STATE PATROL**

Estimated Total Cost of Projects \$998,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
MV Fund—State	178,000	1,273,000	1,451,000
Total Funds	178,000	1,273,000	1,451,000

(1) Construct and equip District V Headquarters at Vancouver.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	807,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	807,000	6/1/79

(2) Weigh station relocation at North Bend.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	40,000	6/30/79

(3) Weigh station relocation at Port Angeles west.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	40,000	6/30/79

(4) To construct dual-scale weigh station at Plymouth Port of Entry.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	83,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	83,000	6/30/79

(5) Repair existing facilities.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	120,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	120,000	6/30/79

(6) To construct dual-scale weigh station at Vancouver Port of Entry.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	58,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	58,000	6/30/79

(7) To construct and equip mobile radio relay station in Grays Harbor area.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	66,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	66,000	6/30/79

(8) To construct inspection building at South King County detachment office.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	76,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	76,000	6/30/79

(9) To construct gasoline storage and dispensing facilities in the Bellingham, Okanogan, Sunnyside, and Walla Walla areas.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	63,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	63,000	6/30/79

(10) To construct radio relay station in the Gold Mountain area.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		8,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	0	17,000	6/30/79

(11) To construct East King County District II headquarters.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
290,000	0	325,000	6/30/79

(12) Land acquisition and construction for radio relay stations on the Columbia River.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		40,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,000	0	50,000	6/30/79

(13) Land acquisition and construction for radio relay station in the Pomeroy area.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		10,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
30,000	0	40,000	6/30/79

(14) Land acquisitions for radio relay stations in the Colville and Clarkston areas.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		15,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	20,000	12/31/77

NEW SECTION. Sec. 30. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 31. Reappropriations shall be limited to the unexpended balances remaining June 30, 1977, in the current appropriation for each project.

NEW SECTION. Sec. 32. The depreciation schedule developed by the department of personnel used in rent assessments of state employees living in state owned housing shall be based on the actual housing cost to the state including any maintenance and interest costs depreciated over 30 years. Utility charges shall be at cost.

**NEW SECTION.** Sec. 33. 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. 34. 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 July 1, 1977.\*

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Amen, Bauer, Charette, Ehlers, Heck, Hughes, Keller, Maxie, Pardini, Polk, Thompson, Vrooman, Warnke, Williams, Zimmerman.

To Committee on Rules for second reading.

#### SECOND READING

**SUBSTITUTE SENATE BILL NO. 2529**, by Committee on Transportation (Originally sponsored by Senator Henry):

Modifying procedures for construction and maintenance of highways.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2529 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2529, and the bill passed the House by the following vote: Yeas, 77; nays, 0; not voting, 21.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Tally, Thompson, Tilly, Valle, Walk, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Clemente, Douthwaite, Ehlers, Eng, Gruger, Haley, Leckenby, Lux, Lysen, Martinis, Moreau, Newhouse, North, Oliver, Pardini, Salatino, Struthers, Vrooman, Whiteside, Williams.

Substitute Senate Bill No. 2529, 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. 2563**, by Senators Gould, Marsh and Lewis (by Secretary of State request):

Requiring presidential electors to vote for their party's nominee.

The bill was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 2, line 7 beginning with "guilty" strike all the material down to and including "subject" on line 7 and insert "subject to a civil penalty of up"

Representatives Polk and Hawkins spoke in favor of the amendment, and it was adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Senate Bill No. 2563 as amended by the House was placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2563 as amended by the House, and the bill passed the House by the following vote: Yeas, 60; nays, 18; not voting, 20.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clayton, Craswell, Ehlers, Enbody, Erak, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Tally, Thompson, Valle, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Deccio, Dunlap, Fancher, Fischer, Hurley M., Nelson D., Paris, Patterson, Polk, Tilly, Zimmerman.

Not voting: Representatives Clemente, Conner, Douthwaite, Eng, Gruger, Haley, Knedlik, Leckenby, Lux, Lysen, Moreau, Newhouse, Oliver, Pardini, Salatino, Struthers, Vrooman, Whiteside, Williams, Winsley.

Senate Bill No. 2563 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. 2678, by Senators Walgren, Bailey and Newschwander:

Authorizing additional distribution of the computer tape on statewide registered voters.

The bill was read the second time.

Committee on Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 55th Day ex. sess., May 4, 1977.)

Mr. Hawkins moved adoption of the committee amendment adding a new section 2.

Mr. Hawkins spoke in favor of the committee amendment, and Mr. Kreidler spoke against it.

Mr. Hawkins spoke again in favor of the committee amendment, and Mr. Polk spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Senate Bill No. 2678, and the amendment was not adopted by the following vote: Yeas, 30; nays, 47; not voting, 21.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Charnley, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Hanna, Hawkins, Heck, Hughes, Hurley G. S., King, Knowles, McKibbin, Nelson D., North, Pearsall, Sherman, Shinpoch, Smith, Sommers, Valle, Vrooman, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Burns, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Hurley M., Keller, Kilbury, Kreidler, Lee, Martinis, May, McCormick, Nelson G. A., O'Brien, Paris, Patterson, Polk, Pruitt, Sanders, Schmitten, Shinoda, Taller, Thompson, Tilly, Walk, Wilson, Winsley, Zimmerman.

Not voting: Representatives Clemente, Conner, Douthwaite, Eng, Gruger, Haley, Knedlik, Leckenby, Lux, Lysen, Maxie, Moreau, Newhouse, Oliver, Owen, Pardini, Salatino, Struthers, Whiteside, Williams, and Mr. Speaker.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 2678 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2678, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Clemente, Douthwaite, Eng, Gruger, Haley, Leckenby, Lux, Lysen, Moreau, Newhouse, Oliver, Pardini, Struthers, Whiteside, Williams.

Senate Bill No. 2678, 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

ENGROSSED HOUSE BILL NO. 37, by Representatives Hurley (Margaret), Paris, North, Lee and Gaines:

Establishing a campsite reservation system in state parks.

The bill was read the third time and placed on final passage.

Representatives Hurley (Margaret) and Craswell spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 37, and the bill passed the House by the following vote: Yeas, 77; nays, 3; not voting, 18.

Voting yea: Representatives Adams, Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Erak, Hawkins.

Not voting: Representatives Bond, Clayton, Clemente, Conner, Douthwaite, Eng, Gruger, Haley, Leckenby, Lux, Lysen, Moreau, Newhouse, Oliver, Pardini, Struthers, Whiteside, Williams.

Engrossed House Bill No. 37, 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 (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

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

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3028, by Committee on Local Government (Originally sponsored by Senator Bausch):

Permitting proceeds from port district revenue bonds to be used for funding reserve accounts.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3028 was placed on final passage.

Mr. Thompson 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. 3028, and the bill passed the House by the following vote: Yeas, 79; nays, 1; not voting, 18.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Bender.

Not voting: Representatives Adams, Clemente, Douthwaite, Gruger, Haley, Keller, Kreidler, Leckenby, Lux, Moreau, Newhouse, Oliver, Pardini, Salatino, Sommers, Struthers, Whiteside, Williams.

Engrossed Substitute Senate Bill No. 3028, 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.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Nelson (Dick), Heck and Fuller as conferees on Engrossed Substitute Senate Bill No. 2877.

## MOTION

On motion of Mr. Berentson, Engrossed House Bill No. 37, Substitute Senate Bill No. 2529, Senate Bill No. 2563, Senate Bill No. 2678 and Engrossed Substitute Senate Bill No. 3028 were ordered transmitted immediately to the Senate.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

**SIGNED BY THE SPEAKER**

The Speaker announced he was signing:

HOUSE BILL NO. 46,  
HOUSE BILL NO. 208,  
HOUSE BILL NO. 447,  
HOUSE BILL NO. 474,  
SUBSTITUTE HOUSE BILL NO. 615,  
SUBSTITUTE HOUSE BILL NO. 625,  
HOUSE BILL NO. 627,  
SUBSTITUTE HOUSE BILL NO. 741.

**APPOINTMENT OF CONFEREES**

The Speaker announced that Representative Patterson would replace Representative Flanagan on the Conference Committee on Engrossed Substitute Senate Bill No. 2697.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

**MOTION**

On motion of Mr. Bender, the House adjourned until 11:00 a.m., Monday, June 6, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, June 6, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Bond, Haley and Pardini, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alison Wahl and Brad Gehring. Prayer was offered by Reverend Lester G. Olson 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.

## MESSAGES FROM THE SENATE

June 4, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 194,  
ENGROSSED HOUSE BILL NO. 316,  
SUBSTITUTE HOUSE BILL NO. 402,  
ENGROSSED HOUSE BILL NO. 414,  
SUBSTITUTE HOUSE BILL NO. 531,  
SUBSTITUTE HOUSE BILL NO. 572,  
HOUSE BILL NO. 703,  
HOUSE BILL NO. 733,  
SUBSTITUTE HOUSE BILL NO. 737,  
ENGROSSED HOUSE BILL NO. 778,  
HOUSE BILL NO. 825,

HOUSE CONCURRENT RESOLUTION NO. 4,  
ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 18,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 4, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2422,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 4, 1977

Mr. Speaker:

The Senate has adopted the report of the conference committee on ENGROSSED SENATE BILL NO. 2668, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2668, enacting a landlord-tenant act for mobile home lots, have had the same under consideration, and we recommend that the bill be amended to read as follows:

On page 1, strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. This chapter shall be known and may be cited as the 'Mobile Home Landlord-Tenant Act'.



**NEW SECTION.** Sec. 2. Every duty under this chapter and every act which must be performed as a condition precedent to the exercise of a right or remedy under this chapter imposes an obligation of good faith in its performance or enforcement.

**NEW SECTION.** Sec. 3. For purposes of this chapter:

- (1) 'Landlord' means the owner of a mobile home park and includes the agents of a landlord;
- (2) 'Mobile home lot' means a portion of a mobile home park designated as the location of one mobile home and its accessory buildings, and intended for the exclusive use of the occupants of that mobile home;
- (3) 'Mobile home park' means any real property which is rented or held out for rent to others for the placement of two or more mobile homes for the primary purpose of production of income;
- (4) 'Tenant' means any person, except a transient, who rents a mobile home lot;
- (5) 'Transient' means a person who rents a mobile home lot for a period of less than one month.

**NEW SECTION.** Sec. 4. This chapter shall regulate and determine legal rights, remedies, and obligations arising from any rental agreement between a landlord and a tenant regarding a mobile home lot. All such rental agreements shall be unenforceable to the extent of any conflict with any provision of this chapter. Chapter 59.12 RCW shall be applicable only in implementation of the provisions of this chapter and not as an alternative remedy to this chapter which shall be exclusive where applicable: PROVIDED, That the provision of RCW 59.12.090, 59.12.100, and 59.12.170 shall not apply to any rental agreement included under the provisions of this chapter. RCW 59.18.370 through 59.18.410 shall be applicable to any action of forcible entry or detainer or unlawful detainer arising from a tenancy under the provisions of this chapter. Rentals of mobile homes themselves are governed by the Residential Landlord-Tenant Act, chapter 59.18 RCW.

**NEW SECTION.** Sec. 5. (1) On and after the effective date of this act, no landlord may offer a mobile home lot for rent without offering to a prospective tenant a written rental agreement for a term of one year or more. A prospective tenant who desires to occupy a mobile home lot for other than a term of one year or more may have the option to be on a month to month basis but must waive, in writing, the right to such one year or more term. Except pursuant to such waiver, no landlord shall allow a mobile home to be moved into a mobile home park in this state until a written rental agreement has been signed by the landlord and the tenant and a copy provided for the tenant;

(2) The requirements of subsection (1) of this section shall not apply if:

- (a) The mobile home park or part thereof has been acquired or is under imminent threat of condemnation for a public works project, or
- (b) An employer-employee relationship exists between a landlord and tenant;
- (3) The provisions of this section shall apply to any tenancy in existence prior to the effective date of this act, upon expiration of the term of any oral or written rental agreement governing such tenancy.

**NEW SECTION.** Sec. 6. (1) Any rental agreement executed between the landlord and tenant shall contain:

(a) The terms for the payment of rent, including time and place, and any additional charges to be paid by the tenant. Additional charges that occur less frequently than monthly shall be itemized in a billing to the tenant;

(b) Reasonable rules for guest parking which shall be clearly stated;

(c) The rules and regulations of the park;

(d) The name and address of the person who is the landlord, and if such person does not reside in the state where the mobile home park is located there shall also be designated by name and address a person who resides in the county where the mobile home park is located who is authorized to act as agent for the purposes of service of notices and process. If no designation is made of a person to act as agent, then the person to whom rental payments are to be made shall be considered the agent; and

(e) The terms and conditions under which any deposit or portion thereof may be withheld by the landlord upon termination of the rental agreement if any moneys are paid to the landlord by the tenant as a deposit or as security for performance of the tenant's obligations in a rental agreement.

(2) Any rental agreement executed between the landlord and tenant shall not contain:

(a) Any provision which allows the landlord to charge a fee for guest parking unless a violation of the rules for guest parking occurs: PROVIDED, That a fee may be charged for guest parking which covers an extended period of time as defined in the rental agreement;

(b) Any provision which authorizes the towing or impounding of a vehicle except upon notice to the owner thereof or the tenant whose guest is the owner of said vehicle;

(c) Any provision which allows the landlord to increase the rent or alter the due date for rent payment during the term of the rental agreement: PROVIDED, That a rental agreement may include an escalation clause for a pro rata share of any increase in the mobile home park's real property taxes or utility assessments or charges, over the base taxes or utility assessments or charges of the year in which the rental agreement took effect, if the clause also provides for a pro rata reduction in rent or other charges in the event of a reduction in real property taxes or utility assessments or charges, below the base year;

(d) Any provision by which the tenant agrees to waive or forego rights or remedies under this chapter;

or

(e) Any provision allowing the landlord to charge an 'entrance fee' or an 'exit fee'.

**NEW SECTION.** Sec. 7. A landlord shall not:

(1) Deny any tenant the right to sell such tenant's mobile home within a park or require the removal of the mobile home from the park solely because of the sale thereof: PROVIDED, That:

(a) A rental agreement for a fixed term shall be assignable by the tenant to any person to whom he sells or transfers title to the mobile home, subject to the approval of the landlord after fifteen days' written notice of such intended assignment;

(b) The assignee of the rental agreement shall assume all the duties and obligations of his assignor for the remainder of the term of the rental agreement unless, by mutual agreement, a new rental agreement is entered into with the landlord; and

(c) The landlord shall approve or disapprove of the assignment of a rental agreement on the same basis that the landlord approves or disapproves of any new tenant; or

(2) Restrict the tenant's freedom of choice in purchasing goods or services but may reserve the right to approve or disapprove any exterior structural improvements on a mobile home lot: **PROVIDED**, That door-to-door solicitation in the mobile home park may be restricted in the rental agreement.

**NEW SECTION.** Sec. 8. Tenancy during the term of a rental agreement may be terminated by the landlord only for one or more of the following reasons:

(1) Substantial or repeated violation of the rules of the mobile home park as established by the landlord at the inception of the tenancy or as assumed subsequently with the consent of the tenant. The tenant shall be given written notice of a fifteen day period in which to comply or vacate. In the case of periodic rather than continuous violation, said notice shall specify that the same violation repeated shall result in termination;

(2) Nonpayment of rent or other charges specified in the rental agreement, upon five days written notice to pay rent and/or other charges or to vacate;

(3) Conviction of the tenant of a crime, commission of which threatens the health, safety, or welfare of the other mobile home park tenants. The tenant shall be given written notice of a fifteen day period in which to vacate.

**NEW SECTION.** Sec. 9. (1) Unless otherwise agreed rental agreements shall be for a term of one year. Any rental agreement for a term of one year and any rental agreement renewed for a six-month term shall be automatically renewed for an additional six-month term unless:

(a) Otherwise specified in the original written rental agreement; or

(b) The landlord notifies the tenant in writing three months prior to the expiration of the rental agreement that it will not be renewed or will be renewed only with the changes contained in such notice.

A tenant shall notify the landlord in writing one month prior to the expiration of a rental agreement of an intention not to renew.

(2) The tenant may terminate the rental agreement upon thirty days written notice whenever a change in the location of the tenant's employment requires a change in his residence, and shall not be liable for rental following such termination unless after due diligence and reasonable effort the landlord is not able to rent the mobile home lot at a fair rental. If the landlord is not able to rent the lot, the tenant shall remain liable for the rental specified in the rental agreement until the lot is rented or the original term ends;

(3) Any tenant who is a member of the armed forces may terminate a rental agreement with less than thirty days notice if he receives reassignment orders which do not allow greater notice.

**NEW SECTION.** Sec. 10. Improvements, except a natural lawn, purchased and installed by a tenant on a mobile home lot shall remain the property of the tenant even though affixed to or in the ground and may be removed or disposed of by the tenant prior to the termination of the tenancy: **PROVIDED**, That a tenant shall leave the mobile home lot in substantially the same or better condition than upon taking possession.

**NEW SECTION.** Sec. 11. In any action arising out of this chapter, the prevailing party shall be entitled to reasonable attorney's fees and costs.

**NEW SECTION.** Sec. 12. Venue for any action arising under this chapter shall be in the district or superior court of the county in which the mobile home lot is located.

**NEW SECTION.** Sec. 13. 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. 14. Sections 1 through 12 of this act shall constitute a new chapter in Title 59 RCW."

Signed by Senators Van Hollebeke, Hayner, Marsh; Representatives Ehlers, Smith, Tilly.

#### MOTION

On motion of Mr. Ehlers, the House adopted the report of the Free Conference Committee.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2668 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2668 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 81; nays, 1; not voting, 16.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives Adams, Berentson, Bond, Clayton, Deccio, Gaines, Haley, Hanna, Leckenby, Maxie, Pardini, Pearsall, Polk, Shinoda, Tilly, Winsley.

Engrossed Senate Bill No. 2668 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.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:  
SUBSTITUTE HOUSE BILL NO. 619.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2422, by Senators North, Mardesich, Jones and Herr:

Prohibiting the mandatory retirement of public employees under the age of seventy.

To Committee on State Government

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

June 3, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 384 with the following amendments:

On page 2, line 26 after "RCW" strike all of the material down to and including "supervisor" on line 29

On page 2, following line 29 insert a new subsection as follows:

"(6) In any civil action in which the reports are sought to be discovered or used as evidence, any party may, upon notice to the supervisor, petition the court for an in camera review of the report. The court may permit discovery and introduction of only those portions of the report which are relevant and otherwise unobtainable by the requesting party. This subsection shall not apply to an action brought or defended by the supervisor."

Renumber the remaining subsections consecutively.

16. On page 4, line 13 after "RCW" strike all of the material down to and including "supervisor" on line

16. On page 4, following line 16 insert a new subsection as follows:

"(6) In any civil action in which the reports are sought to be discovered or used as evidence, any party may, upon notice to the supervisor, petition the court for an in camera review of the report. The court may permit discovery and introduction of only those portions of the report which are relevant and otherwise unobtainable by the requesting party. This subsection shall not apply to an action brought or defended by the supervisor."

Renumber the remaining subsections consecutively.

On page 5, line 36 after "RCW" strike all of the material down to and including "supervisor" on line 3.

On page 6, following line 3 insert a new subsection as follows:

"(6) In any civil action in which the reports are sought to be discovered or used as evidence, any party may, upon notice to the supervisor, petition the court for an in camera review of the report. The court may permit discovery and introduction of only those portions of the report which are relevant and otherwise unobtainable by the requesting party. This subsection shall not apply to an action brought or defended by the supervisor."

Renumber the remaining subsections consecutively.

24. On page 7, line 21 after "RCW" strike all of the material down to and including "supervisor" on line

24. On page 7, following line 24 insert a new subsection as follows:

"(6) In any civil action in which the reports are sought to be discovered or used as evidence, any party may, upon notice to the supervisor, petition the court for an in camera review of the report. The court may permit discovery and introduction of only those portions of the report which are relevant and otherwise unobtainable by the requesting party. This subsection shall not apply to an action brought or defended by the supervisor."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Eng, the House concurred in the Senate amendments to Substitute House Bill No. 384.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 384 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 384 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; nays, 0; not voting, 24.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Newhouse, North, O'Brien, Owen, Paris, Patterson, Polk, Sanders, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Boldt, Bond, Charette, Charnley, Enbody, Flanagan, Greengo, Haley, Martinis, Maxie, Moreau, Nelson D., Nelson G. A., Oliver, Pardini, Pearsall, Pruitt, Salatino, Schmitten, Shinoda, Wilson, Winsley, Zimmerman.

Substitute House Bill No. 384 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

June 3, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1213 with the following amendments:

On page 4, line 17 beginning with ";" strike everything down to and including "transactions" on line 27

On page 7, line 4 after "accordance with" strike everything down to and including "States" on line 5 and insert "section 8 of the United States Housing Act of 1937, as amended by Title II, section 201 of the"

On page 7, line 8 after "bidding," insert "for fair market value,"

On page 9, line 21 after "made" insert "and recorded"

On page 9, line 27 after "thereof," strike all the matter down through "recorded," on line 28 and insert "The resolution and any other instrument by which a pledge is created shall be recorded."

On page 13, line 5 strike all of section 8 and renumber the remaining section consecutively.

On page 1, line 10 of the title beginning with "amending" strike everything down to and including "35.82.210;" on line 11.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendments to Substitute House Bill No. 1213.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1213 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1213 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; nays, 0; not voting, 18.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Adams, Boldt, Bond, Charette, Clayton, Enbody, Flanagan, Haley, Martinis, Maxie, Moreau, Pardini, Patterson, Pearsall, Taller, Vrooman, Winsley, Zimmerman.

Substitute Senate Bill No. 1213 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

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, with the following amendments:

On page 1, line 25 after "within" strike "three" and insert "five"

On page 1, line 26 after "times" insert ": PROVIDED, That if a speedometer is determined to be out of calibration or inoperable while the locomotive is enroute, it will be deemed as being in good working order until the locomotive reaches the next terminal where repair facilities are available or where a locomotive with a working speedometer is available for substitution"

On page 1, beginning on line 30 strike all the matter down to and including the semicolon on page 2, line 2

On page 2, line 13 after "shall" strike "be deemed guilty of a misdemeanor, and upon conviction thereof shall"

On page 2, line 16 before the semicolon strike "offense" and insert "violation"

On page 2, line 17 strike "offense" and insert "violation"

On page 2, line 17 after "offense." insert "In setting the fine for equipment failure, the location of the locomotive at the time of the violation and access to repair facilities shall be taken into consideration."

On page 2, line 17 after the period insert "It shall also be a violation of this act subject to the same penalty as provided in this section for any railroad employee, except those charged with the duty of installation, maintenance and repair or removal of speedometers to tamper with, adjust or break the lock or alter or remove the speed recording tape therein."

On page 1, line 4 of the title strike "defining crimes;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 50.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 50 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 50 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 71; nays, 12; not voting, 15.

Voting yea: Representatives Amen, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pruitt, Salatino, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Craswell, Dunlap, Erak, Fancher, Gilleland, Greengo, Polk, Sanders, Shinoda, Struthers.

Not voting: Representatives Adams, Boldt, Bond, Charette, Deccio, Flanagan, Haley, Martinis, Maxie, Moreau, Pardini, Pearsall, Vrooman, Winsley, Zimmerman.

Engrossed Substitute House Bill No. 50 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

June 4, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 195 with the following amendment:

On page 1, line 19 after "thereto" and before "These" insert "As used in this section the phrase 'public waste disposal facilities' shall not include the acquisition of equipment used to collect, carry, and transport garbage."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Shinpoch moved that the House do concur in the Senate amendment to House Bill No. 195.

Representatives Shinpoch and Blair spoke in favor of the motion, and it was carried.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 195 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 195 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 2; not voting, 13.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Burns, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Nelson D., Sanders.

Not voting: Representatives Adams, Bender, Boldt, Bond, Charette, Charnley, Dunlap, Haley, Martinis, Maxie, Moreau, Pardini, Pearsall.

House Bill No. 195 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

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 225 with the following amendments:

On page 1, line 23 after "refugee" insert a comma, and on line 26 after "act," insert "who"

On page 2, line 3 after "visa" strike the period and insert ": PROVIDED, That such persons have also settled in Washington state for one year immediately prior to enrollment, and are either (1) on parole status, (2) have received an immigrant visa, or (3) have applied for United States citizenship."

On page 2, beginning on line 4 strike all of section 4.

Remember the remaining section consecutively.

On page 1, line 3 of the title, strike "providing a termination date;"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Burns, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 225.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 225 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 225 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Boldt, Bond, Charette, Haley, Martinis, Maxie, Moreau, Pardini, Pearsall.

Engrossed Substitute House Bill No. 225 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

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 285 with the following amendments:

On page 1, line 4 after "names" strike everything down to and including the period on line 8 and insert "the golf course located at Sun Lakes State Park, the 'Vic Meyers Golf Course', and Rainbow Lake shall be renamed 'Vic Meyers Lake.' The state shall provide and install a proper marker in a suitable location in the main activity area of the park which will set forth the key role Victor Aloysius Meyers had in the development of Sun Lakes State Park and the important part he had for many years in the political and governmental history of the state. In addition, the name hereby established for the golf course shall be prominently displayed at the golf course club house."

On page 1, line 12 after "The" strike everything down to and including the period on line 15 and insert "state parks and recreation commission is directed to do all things necessary to carry out the provisions of this act."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Representative Hurley (Margaret), the House concurred in the Senate amendments to Engrossed House Bill No. 285.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 285 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 285 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 22; not voting, 10.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Blair, Burns, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Paris, Pruitt, Salatino, Schmitten, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Chandler, Clayton, Craswell, Dunlap, Fancher, Gilleland, Greengo, Hawkins, Lee, Nelson G. A., Newhouse, Patterson, Polk, Sanders, Shinoda, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Adams, Barr, Boldt, Bond, Charette, Fortson, Haley, Maxie, Pardini, Pearsall.

Engrossed House Bill No. 285 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

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 508 with the following amendment:

On page 1, line 14 after "veterinarian" insert "or other person, firm or corporation regularly engaged in the sale of veterinarian supplies" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Fischer, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 508.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 508 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 508 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 11; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Burns, Chandler, Charnley, Clemente, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Clayton, Conner, Craswell, Fancher, Fuller, Newhouse, Schmitten, Shinoda, Taller, Williams.

Not voting: Representatives Adams, Boldt, Bond, Charette, Enbody, Haley, Heck, Maxie, Oliver, Pardini.

Engrossed Substitute House Bill No. 508 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

June 4, 1977

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE BILL NO. 584 with the following amendments:

On page 1, line 21 after "after" strike "July 1, 1970" and insert "the effective date of this act"

On page 1, line 24 after "person" strike all of the material down to the period on line 26 and insert "possesses outstanding qualifications which in the judgment of the board would permit the person to continue valuable service to the institution" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

Ms. Erickson moved that the House do not concur in the Senate amendments to Reengrossed House Bill No. 584, and ask the Senate for a conference thereon.

Mr. Barnes moved that the House do concur in the Senate amendments.

Mr. Barnes spoke in favor of the motion to concur, and Mr. Thompson spoke against it.

## MOTION

On motion of Mr. Thompson, the question was divided.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to adopt the Senate amendment to page 1, line 21.



## POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "In effect, you have restricted Representative Barnes' motion to concur in the first amendment, which changes on line 21, 'July 1, 1970' to 'the effective date of the act', so that this would not be a retroactive bill if this were adopted?"

The Speaker (Mr. O'Brien presiding): "What would happen on a motion to divide the question is that we are taking the two amendments separately. Representative Barnes, if he wants to concur, would have to make two separate motions. The question before the House now is to concur in the first amendment."

Representatives Thompson and Charnley spoke against the motion to concur, and Mr. Newhouse spoke in favor of it.

Mr. Thompson spoke again in opposition to the motion, and the motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Senate amendment to page 1, line 24.

Representatives Erickson and Thompson spoke in favor of concurrence, and Mr. Greengo spoke against.

The motion was carried.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander):

Adopting the 1977-1979 capital budget.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 86th Day ex. sess., June 4, 1977.)

Mr. Shinpoch moved adoption of the committee amendment.

Mrs. Sherman moved adoption of the following amendment by Representatives Sherman and North to the committee amendment:

On page 13, line 1 strike all the material down to and including line 10 and insert a new subsection to read as follows:

"(13) To provide planning, design, and site selection funds for a maximum security facility.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	750,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	11,250,000	12,000,000	6/81"

Representatives Sherman, North, Owen and Struthers spoke in favor of the amendment to the amendment, and Representatives Hanna, Hurley (George) and Barr spoke against it.

## POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Barr.

Mr. Barr: "Is it true that at the present time the plans are well underway, and perhaps, the prisoners are being transferred to Spokane County—more minimum security ones, at this time?"

Mr. Struthers: "I don't know."

Mr. Barr: "Never ask a question unless you know the answer, and I think the answer is obvious. The second part of my question, or another question, is I understand from Senator Hayner that there has been a survey in the Walla Walla area, and that they are not objecting to expanding or improving—"

## POINT OF ORDER

Mr. Ehlers: "I don't believe that the current speaker's questions or his comments relate to the amendment before us."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "I will rule on your point of order as soon as he finishes his question."

Mr. Barr: "My question was as it pertains to the Walla Walla community—is it true that they took a survey down there, and the survey was affirmative that they would accept expansion of the maximum security prison at Walla Walla?"

Mr. Struthers: "There wasn't a survey run as such, other than a very limited one, and yes, we would like to have more industry in Walla Walla. We would accept additional penitentiary facilities as that industry."

Mr. Shinpoch spoke against the amendment to the committee amendment.

The amendment to the committee amendment was not adopted.

Mr. Barr moved adoption of the following amendment by Representatives Barr and Bauer to the committee amendment:

On page 13, line 3 after "unit" insert ": PROVIDED, That location of any facility shall first be preceded by approval of the legislative authority of the county(ies) within which the facility is to be located followed by a majority affirmative vote of the voters residing within the county(ies)"

Mr. Barr spoke in favor of the amendment to the amendment, and Mr. Hanna spoke against it.

Mr. Barr spoke again in favor of the amendment, and it was not adopted.

Mr. Hanna moved adoption of the following amendment to the committee amendment:

On page 13, line 3, immediately following "unit." insert "As a condition of this appropriation and the reappropriation provided in subsection 7, of the section, the department shall submit to the appropriate committees of the legislature no later than July 1, 1978, a plan which shall include: (a) proposals to reduce the population at the penitentiary and reformatory to provide for single occupancy of the cells in the two institutions; (b) proposals to reduce the level of security affecting both personnel and physical plan to be commensurate with the reduction in inmate population, and (c) a classification system which reflects all current and pending physical plant changes throughout the adult corrections system."

Mr. Hanna spoke in favor of the amendment to the committee amendment.

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "Representative Hanna, I don't understand subsection (b), 'proposals to reduce the levels of security affecting both personnel and physical plant to be commensurate with the reduction in inmate population.' It seems to me that the concern of most of the people throughout the state (our area as well as all these other areas) is the security that exists in any of these institutions. Why put prisoners—people that are guilty of having broken the law and don't seem to care very much to go back to a good life—why reduce the security for those people? Just because you reduce the number it seems to me that it would cause a lot of problems to undo all the security provisions that you have got there now. Why not keep it just as secure as it is and make it just a little bit more so?"

Mr. Hanna: "The reason for that is that if we take the most dangerous and difficult groups of inmates out of Walla Walla and Monroe, and we have given them the new mini-prisons to keep them, and reduce the single-cell occupancy of medium security level inmates, we just cannot justify having the same maximum level security of guarding. This does not mean that the perimeter guarding will be any more relaxed. It just means you don't need the same amount of personnel to watch eight hundred medium security people as you do sixteen hundred, half of which are very dangerous."

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Polk.

Mr. Polk: "Representative Hanna, on about the fourth line, the department is directed to submit to the appropriate committees of the Legislature, their plan. Could you tell us what the appropriate committees of the Legislature are?"

Mr. Hanna: "Of course we would always bow down to the judgment of the Rules Committee as to which committees would be appropriate. I would think the Appropriations Committee and Institutions Committee would be the ones selected in the House. In the Senate, I imagine it would be Social and Health Services and Ways and Means."

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mrs. North.

Mrs. North: "Representative Hanna, under (a) it says, 'reduce the population at the penitentiary and reformatories to provide for single occupancy...' and so forth. How can you forecast that the level of prisoners is going to remain constant and that we aren't going to have to have a great influx and that you can't do this?"

Mr. Hanna: "We are expecting an increase of about a thousand over the next four years. But in the construction we are doing, in the new honor camp, the new work-release facility, and if we pass House Bill No. 307, which is having a little problem in the Senate, then we will have provided more than enough beds and services to handle everybody, even with that increased number, and still reduce the occupancy of cells at Walla Walla and Monroe."

Mr. Deccio spoke in favor of the amendment to the committee amendment, and Representatives Struthers and Tilly spoke against it.

Mr. Hanna spoke again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hanna to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment to the amendment was adopted by the following vote: Yeas, 63; nays, 27; not voting, 8.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knowles, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Berentson, Clayton, Craswell, Dunlap, Eng, Fancher, Flanagan, Gilleland, Greengo, Hurley M., Kilbury, Knedlik, Leckenby, Lee, Nelson G. A., Oliver, Paris, Patterson, Polk, Sanders, Schmitten, Struthers, Tilly, Wilson, Zimmerman.

Not voting: Representatives Adams, Bond, Charette, Haley, Lux, Moreau, Newhouse, Pardini.

Mr. Struthers moved adoption of the following amendment to the committee amendment: On page 11, line 6 strike "1,993,000" and insert "115,000"

Mr. Struthers spoke in favor of the amendment to the amendment, and Mr. Shipoch spoke against it.

#### POINT OF INQUIRY

Mr. Shipoch yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Shipoch, this figures out to be about \$1500 per inmate, and I'm just curious about what we are going to do for \$2 million that would only go to the kitchen facilities. It seems to me that this is an astronomical amount of money just on its face. I think we would like to have some detail about what they are going to do there."

Mr. Shipoch: "What you are saying is that you would like for me to bring the working drawings and the books and filing cabinets out here on every individual project so I can read it. Well, I'm not going to do that. There is a set of specifications, and it is available to everyone. The specific appropriation is to design, provide the drawings and construct a new facility for food services in Walla Walla. The information relative to those individual projects is available to every member, but that is a file cabinet full of things that you are talking about."

Mr. Deccio: "I guess I'm trying to put it in perspective. We are building a new facility at Monroe for \$10 million. It is just inconceivable to me that we are going to remodel the kitchen facilities at Walla Walla for twenty percent of that. I guess I have to question, even though you have a cabinet full of plans, I still have to question this kind of appropriation for this kind of project."

Mr. Shipoch: "I think we should clarify that when you are talking about \$10 million for Monroe, that what you are talking about is a maximum security facility for approximately one

hundred to one hundred twenty-five people. You are not talking about building a new facility at Monroe for \$10 million. You are talking about one hundred to one hundred twenty-five beds for \$10 million."

Mr. Deccio continued his remarks in opposition to the amendment to the committee amendment.

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representative Struthers to the committee amendment, and the amendment was not adopted by the following vote: Yeas, 27; nays, 57; not voting, 14.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Boldt, Chandler, Clayton, Craswell, Deccio, Fischer, Flanagan, Fuller, Gilleland, Greengo, Hughes, Kilbury, Knedlik, Lee, Nelson G. A., Polk, Sanders, Schmittens, Struthers, Taller, Tilly, Whiteside, Wilson.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erbody, Eng, Erak, Erickson, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, King, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, Nelson D., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Bond, Charette, Dunlap, Fancher, Haley, Martinis, McKibbin, Moreau, Newhouse, Pardini, Patterson, Vrooman.

On motion of Mr. Hanna, the following amendment to the committee amendment was adopted:

On page 13, immediately following line 10 insert a new subsection to read as follows:

"(14) To improve security of the mentally ill offenders facility at Eastern State Hospital.

DSHS Constr Acct Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	REAPPROPRIATION		APPROPRIATION
		0 Estimated Total Costs	100,000 Estimated Completion Date	100,000 Estimated Completion Date
0	0	100,000	9/77*	

Mr. Smith moved adoption of the following amendment by Representatives Smith, Hawkins, Craswell and Hanna to the committee amendment:

On page 19, line 32 insert a new subsection to read as follows:

"(17) To provide design and land acquisition funds for 100-bed residential unit and renovation of existing facilities, Francis Haddon Morgan Children's Center.

DSHS Constr Acct Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	REAPPROPRIATION		APPROPRIATION
		0 Estimated Total Costs	750,000 Estimated Completion Date	750,000 Estimated Completion Date
0	2,918,000	3,668,000	9/80*	

Representatives Smith and Craswell spoke in favor of the amendment to the amendment, and Representatives Shipoch and Gruger spoke against it.

Mr. Smith spoke again in favor of the amendment to the committee amendment, and Mr. Shipoch spoke again in opposition to it.

The amendment to the committee amendment was not adopted.

**MOTIONS**

On motion of Mr. Bender, further consideration of Engrossed Substitute Senate Bill No. 3110 was deferred, and the bill was ordered placed on the second reading calendar for tomorrow.

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

## RESOLUTION

HOUSE RESOLUTION NO. 77-47, by Representatives Heck, McKibbin, Thompson, Bauer and Zimmerman:

WHEREAS, The City of Portland and the State of Oregon, contrary to popular misconception are, in fact, part of the Pacific Northwest; and

WHEREAS, The National Basketball Association representative from that area, the Portland Trailblazers, has just won the league championship in a magnificent display of teamwork and comraderie; and

WHEREAS, Some members of the Washington State House of Representatives feel an overwhelming sense of loyalty to the 'Blazers; and

WHEREAS, We Northwesterners like to share in the personal victories of each among us;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Portland Trailblazers basketball team be officially congratulated for its efforts, its showmanship, and its victory as the champions of the National Basketball Association; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the offices of the Portland Trailblazers (and the Seattle Supersonics).

Representatives Heck and Polk spoke in favor of the resolution, and it was adopted.

## MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Tuesday, June 7, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, June 7, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Bond, Haley, Pardini and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kim Scofield and Paul Andrews. Prayer was offered by Reverend Lester G. Olson 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.

## MESSAGE FROM THE GOVERNOR

June 6, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 6, 1977, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 228: Providing for the regulation of motor vehicle towing.

HOUSE BILL NO. 389: Regulating traffic control devices used when constructing or repairing railroad crossings.

SUBSTITUTE HOUSE BILL NO. 472: Designating regional universities.

HOUSE BILL NO. 583: Permitting school districts to waive or reduce fees for low income senior citizens.

HOUSE BILL NO. 617: Allowing some mutual savings banks to pay higher expenses for management and operation.

HOUSE BILL NO. 618: Revising laws regulating sale of securities.

SUBSTITUTE HOUSE BILL NO. 662: Regulating the granting of remunerated professional leaves.

SUBSTITUTE HOUSE BILL NO. 678: Modifying the law on theft of livestock.

HOUSE BILL NO. 779: Authorizing group filing for certain labor liens.

HOUSE BILL NO. 1229: Revising laws relating to boiler inspection.

Sincerely,  
Joe Zaspel, Legislative Assistant.

## MESSAGES FROM THE SENATE

June 6, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 512,

HOUSE BILL NO. 653,

ENGROSSED HOUSE BILL NO. 933,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2810,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 46,  
HOUSE BILL NO. 208,  
HOUSE BILL NO. 447,  
HOUSE BILL NO. 474,  
SUBSTITUTE HOUSE BILL NO. 615,  
SUBSTITUTE HOUSE BILL NO. 625,  
HOUSE BILL NO. 627,  
SUBSTITUTE HOUSE BILL NO. 741,  
SENATE BILL NO. 2111,  
SUBSTITUTE SENATE BILL NO. 2161,  
SENATE BILL NO. 2429,  
SENATE BILL NO. 2500,  
SUBSTITUTE SENATE BILL NO. 2529,  
SENATE BILL NO. 2678,  
SUBSTITUTE SENATE BILL NO. 2889,  
SUBSTITUTE SENATE BILL NO. 3010,  
SUBSTITUTE SENATE BILL NO. 3028,  
SUBSTITUTE SENATE BILL NO. 3071,  
SUBSTITUTE SENATE BILL NO. 3105,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 6, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 867, and the President has appointed as Senate conferees: Senators Marsh, Jones, Grant.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2172, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2525, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to REENGROSSED SUBSTITUTE SENATE BILL NO. 2527, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2563, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2654, having previously concurred with all House amendments except to page 5, line 9, from which the House receded.

Bill Gleason, Assistant Secretary.

June 6, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2668, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

SENATE BILL NO. 2111,  
 SUBSTITUTE SENATE BILL NO. 2161,  
 SENATE BILL NO. 2429,  
 SENATE BILL NO. 2500,  
 SUBSTITUTE SENATE BILL NO. 2529,  
 SENATE BILL NO. 2678,  
 SUBSTITUTE SENATE BILL NO. 2889,  
 SUBSTITUTE SENATE BILL NO. 3010,  
 SUBSTITUTE SENATE BILL NO. 3028,  
 SUBSTITUTE SENATE BILL NO. 3071,  
 SUBSTITUTE SENATE BILL NO. 3105.

## MESSAGE FROM THE SENATE

June 6, 1977

Mr. Speaker:

The Senate has concurred with the House amendments to ENGROSSED SENATE BILL NO. 2215, on page 1, beginning on line 1 of the title, and on page 2, beginning on line 22, and has passed the bill as amended by the House, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2215 without part of the House amendments.

Mr. 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. 2215 without some of the House amendments, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Bond, Gruger, Haley, Hurley M., Knedlik, Lee, Lux, Pardini, Wilson, Winsley.

Engrossed Senate Bill No. 2215 without some of 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.

## MESSAGE FROM THE SENATE

June 6, 1977

Mr. Speaker:



The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 68, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 1, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 68, expanding the cemetery board and providing for its abolition in 1979, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Day, Newschwander; Representatives Ehlers, Charette, Nelson (Gary).

#### MOTION

On motion of Mr. Ehlers, the Conference Committee report was adopted, and the committee was granted the powers of Free Conference.

#### REPORT OF CONFERENCE COMMITTEE

June 2, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, providing for additional superior court judges in Spokane, Pierce, Kitsap, Benton-Franklin, Cowlitz and San Juan-Island judicial districts, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to amend the bill.

Signed by Senators Francis, Day, Sellar; Representatives Knowles, Boldt, Tilly.

#### MOTION

On motion of Mr. Knowles, the Conference Committee report was adopted, and the committee was granted the powers of Free Conference.

#### REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2282, simplifying reporting requirements for campaign treasurers, have had the same under consideration, and we report that we are unable to agree, and recommend the House amendments be not adopted, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Grant, Beck; Representatives Hawkins, Hughes, Pardini.

#### MOTION

On motion of Mr. Hawkins, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### REPORT OF CONFERENCE COMMITTEE

June 4, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2445, regulating automotive repair, have had the same under consideration, and we recommend that the House amendment on page 1, line 2 of the title, and the House amendment on page 3, following section 8, not be adopted; and we further recommend that the remaining House amendments be adopted.

Signed by Senators Van Hollebeke, Wojahn; Representatives Salatino, Walk.

#### MOTION

Mr. Salatino moved that the report of the Conference Committee be adopted.

## POINT OF INQUIRY

Mr. Salatino yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Salatino, is the amendment which exempted small automotive repairs still in the bill?"

Mr. Salatino: "Representative Greengo, that amendment is still intact in the bill."

The motion was carried.

FINAL PASSAGE OF SENATE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute Senate Bill No. 2445 as recommended by the Conference Committee.

Mr. Struthers spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2445 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 67; nays, 19; not voting, 12.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Gaines, Gallagher, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Clayton, Craswell, Dunlap, Erickson, Flanagan, Fuller, Gilleland, Leckenby, Nelson G. A., Oliver, Patterson, Polk, Sanders, Schmitt, Struthers, Tilly, Zimmerman.

Not voting: Representatives Adams, Berentson, Bond, Grier, Haley, Hurley M., Lee, Martinis, Pardini, Paris, Smith, Wilson.

Substitute Senate Bill No. 2445 as recommended by the 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.

## SENATE AMENDMENT TO HOUSE BILL

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 355 with the following amendment:

Beginning on page 1, after the enacting clause delete the remainder of the bill and insert the following: "Section 1. Section 1, chapter 182, Laws of 1974 ex. sess. as amended by section 14, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed 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 was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed 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: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. 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) 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:

Income Range	Percentage of Excess Levies Exemption
<del>(\$5,000)</del> \$7,000 or less	One hundred percent
<del>\$6,000)</del> \$7,001 - \$8,000	Fifty percent

PROVIDED, HOWEVER, That, in addition, any person, who otherwise qualifies under the provisions of this section, and is within the income range of ~~((four))~~ six thousand dollars or less shall be exempt from any obligation to pay regular property taxes on up to five thousand dollars of valuation of his or her residence: PROVIDED FURTHER, That only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section: AND PROVIDED FURTHER, That the gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinstated in a replacement residence within eighteen months of its realization.

Sec. 2. Section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385 are each amended to read as follows:

Claims for exemption or a renewal affidavit under RCW 84.36.381 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.

Claims under RCW 84.36.381 through 84.36.389, as now or hereafter amended, in ~~((1974))~~ 1977 shall be filed between January 2 and ~~((August))~~ October 1, ~~((1974))~~ 1977.

In January of each year the county assessor shall mail renewal affidavits for exemption to each person approved for exemption during the previous year.

If the assessor finds that the applicant does not meet the qualifications as set forth in RCW 84.36.381, as now or hereafter amended, the claim shall be denied but such denial shall be subject to appeal under the provisions of RCW 84.48.010(5). If the applicant had received exemption in prior years based on erroneous information, the taxes shall be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed three years.

The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims pursuant to this chapter, through communications media, including such paid advertisements or notices as it deems appropriate. ~~((Whenever possible))~~ Notice of the qualifications, method of making applications and availability of further information shall be included on or with property tax statements for all residential property including mobile homes, except rental properties.

**NEW SECTION.** Sec. 3. This 1977 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.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Burns, the House concurred in the Senate amendment to Engrossed House Bill No. 355.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 355 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 355 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 1; not voting, 12.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representative Amen.

Not voting: Representatives Adams, Berentson, Bond, Grier, Haley, Heck, Hurley M., Lee, Pardini, Paris, Wilson, Winsley.

Engrossed House Bill No. 355 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

June 4, 1977

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 393** with the following amendments:

On page 3, line 20 strike "Thurston" and insert "the"

On page 3, line 20 after "county" insert "in which the bank is located" and the same is herewith transmitted.

• Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Eng moved that the House concur in the Senate amendments to Substitute House Bill No. 393.

Representatives Eng and Deccio spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 393 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 393 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Grier, Haley, Hurley G. S., Hurley M., Lee, Pardini, Paris, Pearsall, Wilson, Winsley.

Substitute House Bill No. 393 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

June 4, 1977

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 1142** with the following amendment:

On page 1, line 11 after "order." insert "When requested by the clerk of the court, the actual affixing of fingerprints shall be done by a representative of the office of the county sheriff."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Knowles, the House concurred in the Senate amendment to Substitute House Bill No. 1142.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1142 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1142 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Grier, Haley, Hurley M., Lee, Pardini, Patterson, Pearsall, Wilson, Winsley.

Substitute House Bill No. 1142 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

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1153 with the following amendments:

On page 1, line 11 strike "priority" and insert "particular and special attention"

On page 1, line 14 strike "Priority" and insert "Particular and special attention"

On page 1, line 14 strike "priority" and insert "particular and special attention"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendments to Engrossed House Bill No. 1153.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1153 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1153 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 3; not voting, 11.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Craswell, Newhouse.

Not voting: Representatives Adams, Bond, Grier, Haley, Hurley M., Lee, Pardini, Pearsall, Shipoch, Wilson, Winsley.

Engrossed House Bill No. 1153 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

June 4, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 301 with the following amendments:

On page 1, line 19 after "newspaper" and before "advertisements" strike ": ((and)) PROVIDED, That such" and insert "((and)): PROVIDED, That"

On page 1, line 20 after "contracts" and before "shall" insert "for construction, alteration, repair, or improvement of public facilities"

On page 1, line 22 after "AND" and before "((HOWEVER))" delete "PROVIDED" and insert "PROVIDED"

On page 2, line 24 after "((one))" and before "thousand" strike "two" and insert "three"

On page 2, line 27 after "let" strike the remainder of the line and insert "contracts(;) or to enter into lease agreements ((or to make purchases))"

On page 2, line 29 after "((one))" and before "thousand" strike "two" and insert "three"

On page 2, line 32 before "lease" strike "purchase," and insert "((purchase;))"

On page 2, line 32 after "contract." and before "Wherever" insert "For advertisement and competitive bidding to be dispensed with as to purchases between one thousand and three thousand five hundred dollars, the county legislative authority must authorize by resolution a county procedure for securing telephone and/or written quotations from enough vendors to assure establishment of a competitive price and for awarding such contracts for purchase of materials, equipment or services to the lowest responsible bidder. Immediately after the award is made, the bid quotations obtained shall be recorded and open to public inspection and shall be available by telephone inquiry."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendments to Engrossed House Bill No. 301.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 301 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 301 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Grier, Haley, Kreidler, Lee, Pardini, Pearsall, Wilson.

Engrossed House Bill No. 301 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

June 4, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 643 with the following amendments:

On line 11 after "circumstances" strike ": PROVIDED, That it shall be presumed to be in the best interest of the child for a court to order visitation rights for any kindred of blood of the child who has developed a relationship with the child and provided support either financial or emotional"

On line 16 after "Any" strike "kindred of blood of the child" and insert "person" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Smith moved that the House do concur in the Senate amendments to Substitute House Bill No. 643.

Representatives Smith and Deccio spoke in favor of the motion, and it was carried.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 643 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 643 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Bond, Grier, Haley, Lee, Pardini, Wilson.

Substitute House Bill No. 643 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.

## MESSAGE FROM THE SENATE

June 6, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2042, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Conner, the House insisted on its position with regard to Engrossed Senate Bill No. 2042, and asked the Senate for a conference thereon.

## MESSAGE FROM THE SENATE

June 6, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2608, except for the amendment to page 9, line 21, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Hanna moved that the House insist on its position with regard to Substitute Senate Bill No. 2608, and again ask the Senate to concur therewith.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "The motion is for the Senate to concur. Would it be a positive motion to move that we grant the powers of conference?"

The Speaker (Mr. O'Brien presiding): "Representative Newhouse, the only way to obtain your objective would be to defeat the motion to insist and then to ask the Senate for a conference."

Mr. Newhouse spoke against the motion, and Representatives Hanna and Charette spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion for the House to insist on its position on Substitute Senate Bill No. 2608, and ask the Senate to concur therewith, and the motion was carried by the following vote: Yeas, 62; nays, 28; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dunlap, Erak, Fancher, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Paris, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside.

Not voting: Representatives Adams, Blair, Bond, Grier, Haley, Pardini, Wilson, Winsley.

#### INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2810, by Committee on Education (Originally sponsored by Senator McDermott):

Implementing law relating to existing educational service districts and the election of board members thereof.

#### MOTIONS

On motion of Mr. Bender, the rules were suspended, and Engrossed Substitute Senate Bill No. 2810 was advanced to second reading and read the second time in full.

On motion of Mr. Bender, further consideration of Engrossed Senate Bill No. 2810 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

#### REPORT OF STANDING COMMITTEE

June 3, 1977

SUBSTITUTE HOUSE BILL NO. 318, Prime Sponsor: Representative Hansen, permitting owners of property subject to condemnation proceedings to give the property to governmental unit involved. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass without concurrence with any of the Senate amendments. Signed by Representatives Thompson, Chairman; Owen, Vice Chairman; Bender, Eng, Gilleland, Keller, North, Shinoda, Vrooman, Zimmerman.

To Committee on Rules for second reading.

#### SENATE AMENDMENT TO HOUSE BILL

June 6, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 348 with the following amendment:

On page 1, strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. There is added to chapter 18.51 RCW a new section to read as follows:

(1) No later than September 30, 1977, the secretary shall implement and operate a patient assessment system whereby the characteristics of patients supported by the department under RCW 74.09.120 shall be computerized for the purpose of setting appropriate levels of staffing and reimbursement for nursing homes in accordance with the documented needs of the client population in each home.

(2) No later than November 30, 1977, the board of health shall adopt revised licensing standards for nursing homes after the fiscal impact of each revised standard has been assessed by the department. The licensing standards shall be suitable for:

- (a) Implementing the civil penalty system authorized under this chapter;
- (b) Identifying and measuring the outcomes of services delivered by the nursing home;
- (c) Assessing the fiscal impact on health care delivered under the licensing standards; and
- (d) Determining rates to meet client needs.

(3) No later than January 1, 1978, all payments made to nursing homes by the department shall meet the reasonable cost of:

- (a) Complying with the revised licensing standards;
- (b) Complying with federal standards; and
- (c) Meeting client needs;

as the reasonable costs are determined under federal regulations.

(4) No later than July 1, 1978, the department shall adopt all those regulations which meet all conditions necessary to fully implement the civil penalty system authorized by this chapter."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendment to Substitute House Bill No. 348.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 348 as amended by the Senate.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 348 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Bond, Grier, Haley, Pardini, Polk, Salatino, Wilson.

Substitute House Bill No. 348 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

June 6, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1189 with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. The legislature finds that reliability of financial information is dependent upon the application of generally accepted accounting principles and adherence to published rules of the department of social and health services. To assure that these accounting principles and rules are being applied to reports submitted by nursing homes, the legislature finds it necessary to require certain reports submitted by nursing homes to be audited by the department of social and health services in the manner prescribed in sections 2 and 3 of this act.

**NEW SECTION.** Sec. 2. All annual cost reports submitted to the state by a nursing home shall be audited annually through a field audit conducted by auditors under contract with or employed by the department of social and health services. The secretary of the department of social and health services shall establish an audit manual and program which shall require that all audits, conducted either through contract or by department employees:

(1) Comply with generally accepted auditing standards prescribed by the American institute of certified public accountants;

(2) Include a written opinion as to whether allowable costs included in the report are presented fairly in accordance with generally accepted accounting principles and department rules, and whether, in all material respects, allowable costs are documented, reasonable, and related to patient care;

(3) Are conducted by accounting firms or auditors who, during the period of the auditors' professional engagement or employment and during the period covered by the financial statements, do not have nor are committed to acquire any direct or indirect financial interest in the ownership, financing, or operation of a nursing home in this state;

(4) Are conducted by accounting firms or auditors who, as a condition of the contract or employment, are not allowed to have nursing home clients during or within two years of termination of their contract or employment;

(5) Are conducted by auditors who are otherwise independent as determined by the standards of independence established by the American institute of certified public accountants;

(6) Are supervised by a certified public accountant;

(7) Are completed within one year after the annual cost report is submitted by the nursing home; and

(8) Provide to the nursing home complete written interpretations which explain in detail the application of all relevant contract provisions, regulations, auditing standards, rate formulae, and departmental policies, with explanations and examples, and which are sufficient to permit the nursing home to calculate with reasonable certainty those costs which are allowable and the settlement to which the nursing home is entitled.

**NEW SECTION.** Sec. 3. (1) The department of social and health services shall prepare a written summary of any audit disallowance which exceeds five hundred dollars. Where the department pays rates or proposes settlement of accounts at less than the nursing home's actual reported costs, which have been verified by audit, the department shall for each cost center, as determined under department rules, advise the nursing home management of the rules and regulations justifying reimbursement at less than actual cost. Where the nursing home is pursuing judicial or administrative remedies in good faith regarding reimbursement settlement issues the department shall not withhold from the nursing home current payment amounts the department claims to be due from the nursing home.

(2) All financial reports and information submitted by nursing homes to the department of social and health services and all final audit narratives and summaries reviewing the submitted material shall be available for public inspection. By December 31, 1979, all nursing homes shall submit annual cost reports based

on their federal tax year, which shall coincide with a common fiscal year as determined by the secretary of the department of social and health services.

(3) The department shall, without identifying individual nursing homes, make available to the public full information regarding its cost-finding and rate-setting methodology for nursing home care. The information shall include, but not necessarily be limited to, the following:

- (a) Ranges, averages, and median costs for all cost centers;
- (b) Departmental budget projections which reflect probable economic trends;
- (c) Computer models and programs, with related documentation sufficient to explain them, used or proposed by the department to evaluate cost reports, establish cost projections, establish rates, or, in whole or in part, determine settlements; and
- (d) All raw data relied upon by the department for any such cost-finding or rate-setting activities.

The department shall, prior to April 1 of each year, file with the senate ways and means and house appropriations committees, and make available to the public, a comprehensive report concerning all of the above matters.

**NEW SECTION.** Sec. 4. The nursing home payment system under this chapter shall provide for individually-based or class-based rates which shall be the maximum reimbursement for each nursing home for the period for which the rates are assigned. Operators of nursing homes shall refund all portions of payments received which exceed actual audited costs and all portions of payments received which are attributable to unreasonable or nonallowable costs as determined by federal or state regulations.

**NEW SECTION.** Sec. 5. Payment rates shall:

- (1) Not be set lower prospectively than the level which may reasonably be expected to reimburse in full for actual allowable costs under federal regulations for a nursing home which is economically and efficiently operated;
- (2) Realistically take into account economic conditions and trends during the time period covered by the rates;
- (3) Be at least annually redetermined;
- (4) Permit as allowable those expenses necessary to meet all items of expense which operators of nursing homes must incur to provide federally defined skilled or intermediate care services;
- (5) Meet the reasonable cost of patient assessment activity as required by the department; and
- (6) Meet the reasonable cost of accounting requirements.

Reasonable costs shall be determined independently of the level of funding available, in accordance with federal regulations and guidelines.

**NEW SECTION.** Sec. 6. Nothing in this chapter shall preclude the state auditor from conducting post audit examinations of public funds pursuant to RCW 43.09.330 or other applicable law.

**NEW SECTION.** Sec. 7. Sections 1 through 6 of this act shall be added to chapter 74.09 RCW.

**NEW SECTION.** Sec. 8. 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.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 1189.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1189 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1189 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Douthwaite.

Not voting: Representatives Adams, Bond, Grier, Haley, Pardini, Wilson.

Engrossed Substitute House Bill No. 1189 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.

#### MESSAGE FROM THE SENATE

June 3, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2419, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Mardesich, Clarke, Francis.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Knowles, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2419.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Conner, Charnley and Gilleland as conferees on Engrossed Senate Bill No. 2042.

The Speaker (Mr. O'Brien presiding) appointed Representatives Knowles, Enbody and Newhouse as conferees on Engrossed Senate Bill No. 2419.

#### SENATE AMENDMENT TO HOUSE BILL

June 6, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 880 with the following amendment:

On page 2, strike all of section 2. Renumber the remaining section consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Clemente, the House concurred in the Senate amendment to Substitute House Bill No. 880.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 880 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 880 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Grier, Haley, Pardini, Wilson, Zimmerman.

Substitute House Bill No. 880 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.

#### REPORT OF CONFERENCE COMMITTEE

June 3, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2268, permitting OPP&FM to establish per diem rates, have had the same under

consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Rasmussen, Newschwander, Bausch; Representatives Ehlers, Keller, Zimmerman.

#### MOTION

On motion of Mr. Ehlers, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2460, by Senators von Reichbauer, North and Sandison:

Authorizing hostels.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendment, see Journal, 44th Day ex. sess., April 23, 1977.)

On motion of Representative Hurley (Margaret), the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2460 as amended by the House was placed on final passage.

Representatives Hurley (Margaret) and Lee spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Hurley, is there any fiscal impact to the state? Is the state entering into the hotel business with this bill?"

Mrs. Hurley (Margaret): "I think that's a very good question. No, there's no fiscal impact at all. The Parks and Recreation Commission would be authorized to assist in any way in planning or give their expertise in any way that they could, because they have been operating these two places, Fort Flagler and Fort Worden. They have been operating right now along the same lines as are outlined in the American Youth Hostel Handbook. So if they could aid in the establishment they would and that would be at no cost to them."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2460 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 9; not voting, 7.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Clayton, Conner, Fortson, Hansen, Keller, Martinis, May, Newhouse.

Not voting: Representatives Adams, Bond, Haley, Hurley M., Nelson G. A., Pardini, Wilson.

Engrossed Senate Bill No. 2460 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. 2825, by Senator Day:

Imposing an annual license fee on vehicles using propane in accordance with vehicle tonnage.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 84th Day ex. sess., June 2, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

Mr. Conner moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. There is added to chapter 82.38 RCW a new section to read as follows:

In order to encourage the use of nonpolluting fuels, until July 1, 1979, an annual license fee in lieu of the tax imposed by RCW 82.38.030 shall be imposed upon the use of natural gas as defined in this chapter or on liquified petroleum gas, commonly called propane, which is used in any motor vehicle, as defined in RCW 46.04.320, in accordance with the following schedule:

VEHICLE TONNAGE (GVW)	FEE
0 - 6,000	\$ 60
6,001 - 10,000	\$ 70
10,001 - 18,000	\$ 80
18,001 - 28,000	\$110
28,001 - 36,000	\$150
36,001 and above	\$250

The department of motor vehicles, in addition to the foregoing fee, shall charge a further fee of five dollars as a handling charge for each license issued.

The director of the department of motor vehicles shall be authorized to prorate the vehicle tonnage fee so that the annual license required by this section will correspond with the staggered vehicle licensing system.

**"NEW SECTION.** Sec. 2. 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 July 1, 1977."

Mr. Conner spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Blair.

Mr. Blair: "Representative Conner, it is a little confusing, but I'm sure you can clear it up for all of us—do these vehicle tonnage classifications apply to private motor vehicles driven by their owners for personal use as well as commercial vehicles?"

Mr. Conner: "That's correct."

Mr. Blair: "So this is a substitute license fee for all vehicles with propane?"

Mr. Conner: "Yes."

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The intent of this bill is to encourage the use of propane and natural gas, therefore, why are you doubling the fees on the trucks that haul the gas and propane to market?"

Mr. Conner: "I guess I would have to say in all honesty, that this is the only bill that has come out of that committee that I do not feel comfortable with. We had no way of telling what was a fair fee structure for these vehicles. We passed it originally in 1971, the purpose being to encourage the use of this. We were concerned about air pollution in this state, and attempting to get people to use propane and natural gas. They do use highways in this state. This bill, when we look at it, adds a lot to the motor vehicle fund, nearly \$400,000 in a biennium. There only have been some 300 that have converted in the past six years, so it hasn't really done the job that was intended by the Legislature. We did have individuals who felt the fee structure, the increase in fees, was well within reason. We recognized the cost of around \$800 to \$1000 to convert and yet there was a feeling that the vehicles use the highways of this state and they aren't paying in proportion to other vehicles here. It was felt that those that had converted should at least have the benefit that they have enjoyed in the past, but those who testified were comfortable with the structure that we suggested here."

The amendment was adopted.

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

On line 1 of the title after "tax;" strike the remainder of the title, and insert "adding a new section to chapter 82.38 RCW; declaring an emergency; and providing an effective date."

Engrossed Senate Bill No. 2825 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3044, by Committee on Labor (Originally sponsored by Senators Sellar and Ridder):

Regulating services and fees of physicians' assistants in support of industrial insurance recipients.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3044 was placed on final passage.

Representatives Lux and Tilly 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. 3044, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Chandler.

Not voting: Representatives Adams, Berentson, Bond, Haley, Nelson G. A., Pardini, Polk, Valle, Wilson.

Engrossed Substitute Senate Bill No. 3044, 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. 3068, by Senators Gould and Beck (by Superintendent of Public Instruction request):

Allowing school districts to start terms in August with apportionment credit therefor in succeeding school year beginning in September.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Senate Bill No. 3068 was placed on final passage.

Representatives Clemente and Schmitt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3068, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Bond, Charette, Haley, Hurley G. S., Leckenby, Pardini, Polk, Thompson, Wilson.

Senate Bill No. 3068, 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. 2667, by Senators Morrison and Matson:

Providing for the continued operation of the Yakima migrant labor housing project.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 61st Day ex. sess., May 10, 1977.)

On motion of Mr. Lux, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2667 as amended by the House was placed on final passage.

Representatives Lux, Hansen, Clayton, Greengo, Nelson (Dick) and Whiteside spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2667 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Struthers, Zimmerman.

Not voting: Representatives Adams, Bond, Deccio, Haley, Pardini, Shinoda, Wilson.

Engrossed Senate Bill No. 2667 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. 2544, by Committee on Transportation (Originally sponsored by Senator Henry – by Executive request of Governor Ray):

Making appropriations and authorizing reimbursable expenditures relating to highways.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2544 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2544, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Hawkins.

Not voting: Representatives Adams, Bond, Haley, Moreau, Pardini, Wilson.

Substitute Senate Bill No. 2544, 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. 2839, by Senators Marsh, Henry and Talley:

Exempting certain transmission and reception property of nonprofit corporations from property taxation.

The bill was read the second time.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 2839 be placed on final passage.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Senate Bill No. 2839 to third reading and final passage, and the motion failed to receive the necessary two-thirds vote by the following vote: Yeas, 49; nays, 38; not voting, 11.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Clemente, Deccio, Dunlap, Eng, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Hansen, Heck, Hurley M., Kilbury, Knowles, Leckenby, Lee, Lysen, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Grimm, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Knedlik, Kreidler, Lux, Moreau, Nelson D., North, Owen, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams.

Not voting: Representatives Adams, Amen, Blair, Bond, Gruger, Haley, King, Maxie, Pardini, Wilson, and Mr. Speaker.

Senate Bill No. 2839 was passed to Committee on Rules for third reading.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2405, as amended by the House, by Committee on Education (Originally sponsored by Senator McDermott):

Mandating rules and regulations for voluntary transfer of students between schools in same school district.

The bill was read the third time and placed on final passage.

Mr. Clemente spoke in favor of passage of the bill, and Representatives Barnes, Heck and Craswell spoke against it.

## POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Fuller.

Mr. Fuller: "Representative Clemente, you have a grand opportunity to make a convert out of me, if you'll explain a line here in the Senate bill. My knee-kick reflex when you passed your amendment was the same as all the speakers who preceded me, but as I read line 9 of the bill, do they have to go through this annually so that the imbalance or the space could be reallocated to a nearby person on an annual basis?"

Mr. Clemente: "I think the language says, 'made annually on or before, or up until.' It can be handled to suit the individuals so long as it's done on or before that date at which time the enrollment count is burned up, I think."

Mr. Fuller: "In other words, if the condition happened where somebody came into the neighborhood they might have an imbalance for one year, but then the newcomer could get his rightful place in the nearby school and the other applicant would be rejected?"

Mr. Clemente: "I believe the school would be required to take both the newcomer and the applicant if the space were available when the applicant made the application and the newcomer came after that day. If that was the resident's area, then the school would be required to make room for both. Again, the newcomer would have the option to go to another school."

Representatives Ehlers and Douthwaite spoke in favor of passage of the bill, and Representatives Kreidler and Shinpoch spoke against it.

Mr. Clemente spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2405 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 21; nays, 69; not voting, 8.

Voting yea: Representatives Becker, Blair, Burns, Charnley, Clemente, Douthwaite, Ehlers, Fischer, Fuller, Hurley G. S., Hurley M., Lux, Moreau, Nelson D., O'Brien, Paris, Salatino, Thompson, Warnke, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Chandler, Charette, Clayton, Conner, Craswell, Deccio, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt,



Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Whiteside.

Not voting: Representatives Adams, Bond, Haley, Martinis, Pardini, Wilson, Winsley, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2405 as amended by the House, having failed to receive the constitutional majority, was declared lost.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representative Zimmerman to replace Representative Pardini on the conference committee on Engrossed Senate Bill No. 2282.

#### SENATE AMENDMENT TO HOUSE BILL

June 6, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1232 with the following amendment:

On page 1, line 8 after "vehicle" insert "used as a police vehicle, or ambulance, an emergency aid vehicle, or a fire department vehicle" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendment to Engrossed House Bill No. 1232.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1232 as amended by the Senate.

Mr. Gaines spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Gaines yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Gaines, as I read this amendment this morning, I gathered that the way the Senate changed the bill, that this will apply only to certain government vehicles. It will not apply to private sector. Is that right?"

Mr. Gaines: "That's right, Representative Leckenby, it is just for emergency vehicles at this time."

Representatives Leckenby and Hansen spoke against passage of the bill, and Representatives Dunlap and Charnley spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1232 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 71; nays, 14; not voting, 13.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Paris, Pearsall, Polk, Pruitt, Schmitten, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Valle, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Deccio, Fancher, Fortson, Hansen, Leckenby, Oliver, Patterson, Sanders, Tilly, Vrooman, Whiteside, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Chandler, Haley, Knedlik, Lee, Martinis, Moreau, Owen, Pardini, Salatino, Sommers, Wilson.

Engrossed House Bill No. 1232 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.

The Speaker assumed the Chair.

MESSAGES FROM THE GOVERNOR

June 7, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 7, 1977, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 150: Revising the definition of "public work" for government contracts.

HOUSE BILL NO. 338: Providing for the removal of bank officers and bank cease and desist orders by the supervisor.

HOUSE BILL NO. 382: Exempting prescription drugs sold to the state or political subdivisions from sales tax.

SUBSTITUTE HOUSE BILL NO. 387: Restricting reinsurance with insurer not authorized to insure in this state.

HOUSE BILL NO. 438: Changing notice requirements for property appraisals made between December 1 and February 15.

HOUSE BILL NO. 1260: Modifying the bond, licensing, and fees provisions of the insurance laws.

HOUSE BILL NO. 1262: Modifying assessments of insurance guaranty association members.

HOUSE BILL NO. 1263: Deleting references in the law to the state power commission.

SUBSTITUTE HOUSE BILL NO. 1266: Authorizing the director of general administration to deputize an assistant as supervisor of division of savings and loan associations to perform the supervisor's functions in his absence.

Sincerely,  
Joe Zaspel, Legislative Assistant.

June 7, 1977

THE HONORABLE MARGARET HURLEY  
STATE REPRESENTATIVE  
WASHINGTON STATE LEGISLATURE  
OLYMPIA, WASHINGTON  
DEAR MARGARET:

I would like to take this opportunity to join with your colleagues in the Legislature in congratulating you on your 25 years of service to not only the people of Spokane, but to the people of the entire state of Washington.

Your record as a member of the State Legislature is one in which you can take a great deal of pride and which future members of the House and Senate can look to as an example. Public service is sometimes misunderstood by the voters, but it is obvious that you have put your constituents and the other people of this state ahead of your personal desires and motives.

On behalf of the people of Washington, I would like to thank you for your dedication and service.

Sincerely,  
DIXY LEE RAY, Governor.

The Speaker asked Representative O'Brien to escort Representative Margaret Hurley to the rostrum and she was presented with a gift from the members of the House of Representatives.

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

MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Wednesday, June 8, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## NINETIETH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, June 8, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Barr, Fancher, Haley, Schmitten and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Therese Ouillette and Jim Hobart. Prayer was offered by Reverend Lester G. Olson 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.

#### MESSAGES FROM THE SENATE

June 7, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 619,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 7, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1264,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2179,  
SUBSTITUTE SENATE BILL NO. 2235,  
ENGROSSED SENATE BILL NO. 2242,  
ENGROSSED SENATE BILL NO. 2272,  
SUBSTITUTE SENATE BILL NO. 2274,  
ENGROSSED SENATE BILL NO. 2277,  
SUBSTITUTE SENATE BILL NO. 2703,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 660, and the President has appointed as Senate Conferees: Senators Donohue, Clarke, Odegaard.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1348, and the President has appointed as Senate conferees: Senators Bottiger, Clarke, Francis.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2121, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2430, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 2445, and has passed the bill as amended by the Conference Committee.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 3067, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 7, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 1133, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 4, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 1133, authorizing certain golfing sweepstakes under gambling act, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Van Hollebeke, Morrison, Bausch; Representatives Warnke, Conner, Fancher.

## MOTION

On motion of Mr. Warnke, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 7, 1977

Mr. Speaker:

The Senate receded from its amendment to page 1, line 21 of REENGROSSED HOUSE BILL NO. 584, and has passed the bill as amended, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Warnke, the House concurred with one Senate amendment to Reengrossed House Bill No. 584, and did not concur in the other one.

## FINAL PASSAGE OF HOUSE BILL WITHOUT SENATE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Reengrossed House Bill No. 584 without one Senate amendment.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 584 without one Senate amendment, and the bill passed the House by the following vote: Yeas, 71; nays, 4; not voting, 23.

Voting yea: Representatives Amen, Bauer, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, and Mr. Speaker.

Voting nay: Representatives Barnes, Gilleland, Owen, Shinpoch.

Not voting: Representatives Adams, Barr, Becker, Boldt, Bond, Douthwaite, Ehlers, Eng, Fancher, Greengo, Haley, Heck, Hurley M., Lysen, Moreau, Oliver, Salatino, Schmitt, Vrooman, Williams, Wilson, Winsley, Zimmerman.

Reengrossed House Bill No. 584 without one Senate 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.

#### MESSAGE FROM THE SENATE

June 2, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2451, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 27, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2451, allowing for a longer appeal period from actions of county boards of equalization, have had the same under consideration, and we recommend that the bill be amended as follows:

That the House amendments be adopted with the following amendments:

On page 3, line 5 of the House amendment after "equalization" and before "may" insert "with the approval of the county legislative authority"

On page 3, line 7 of the House amendment after "year" and before the period insert ", whichever is greater"

Signed by Senators Rasmussen, Marsh, Morrison; Representatives Sommers, Knedlik, Winsley.

#### MOTION

On motion of Ms. Sommers, the House adopted the report of the Free Conference Committee.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2451 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2451 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 82; nays, 0; not voting, 16.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barr, Boldt, Clemente, Eng, Fancher, Greengo, Haley, Hurley M., Martinis, Moreau, Oliver, Salatino, Schmitt, Vrooman, Wilson.

Engrossed Senate Bill No. 2451 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.

## MESSAGE FROM THE SENATE

June 7, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 656, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 6, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 656, mandating certain public agencies make surplus books, equipment, etc., available at depreciated cost to private schools, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Grant, Keefe, Murray; Representatives O'Brien, Heck, Whiteside.

## MOTION

On motion of Mr. Heck, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2179, by Committee on State Government (Originally sponsored by Senators Bausch, Rasmussen and Odegaard):

Authorizing certain state employees to receive remuneration for unused sick leave under certain conditions.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 2235, by Committee on Ways and Means (Originally sponsored by Senators Day, McDermott and Buffington – by Office of Program Planning and Fiscal Management request):

Authorizing a social and health services facilities bond issue.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2242, by Senators Peterson, Newschwander and Odegaard (by Office of Program Planning and Fiscal Management request):

Authorizing a capital projects bond issue for fisheries.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2272, by Senators Donohue, Matson and Odegaard (by Office of Program Planning and Fiscal Management request):

Authorizing bonds for WSU construction.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 2274, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Matson and Odegaard – by Office of Program Planning and Fiscal Management request):

Authorizing general obligation bonds for institutions of higher education facilities.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 2277, by Senators Donohue, Odegaard and Matson (by Office of Program Planning and Fiscal Management request):

Authorizing the issuance and sale of state general obligation bonds, including bond anticipation notes, to fund community college capital projects.

To Committee on Appropriations

ENGROSSED SUBSTITUTE SENATE BILL NO. 2703, by Committee on Ways and Means (Originally sponsored by Senator Donohue):

Increasing legislative per diem.

To Committee on Appropriations.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander):

Adopting the 1977-1979 capital budget.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 88th Day ex. sess., June 6, 1977.)

Representative Hurley (Margaret) moved adoption of the following amendment by Representatives Hurley (Margaret), Barr, Struthers and North to the committee amendment:

On page 13 of the amendment, line 3 after "unit" insert ": PROVIDED, That location of any facility shall be within the same proximity of an existing state adult correctional institution"

Representatives Hurley (Margaret), Kilbury, Bond, Hansen, North and Tilly spoke in favor of the amendment to the committee amendment, and Representatives Gruger, Hanna, Hurley (George), Leckenby, Blair, Shinpoch and Nelson (Dick) spoke against it.

Mr. Charnley demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) and others to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was not adopted by the following vote: Yeas, 28; nays, 63; not voting, 7.

Voting yea: Representatives Amen, Bauer, Berentson, Bond, Craswell, Deccio, Flanagan, Fuller, Gilleland, Hansen, Hughes, Hurley M., Kilbury, Lee, Nelson G. A., North, Oliver, Pardini, Patterson, Polk, Sanders, Sherman, Shinoda, Struthers, Tilly, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Barr, Dunlap, Fancher, Haley, Schmitt, Wilson.

On motion of Ms. Becker, the following amendment by Representatives Becker and Shinpoch to the committee amendment was adopted:

On page 14, line 31 after "received." insert "No portion of this appropriation shall be expended for construction or renovation until a plan for construction or renovation is approved by the appropriations committee of the house of representatives and the ways and means committee of the senate."

Mr. Shinpoch moved adoption of the following amendment to the committee amendment:

On page 24, beginning on line 40 strike all of subsection (4) and insert:

"(4) For acquisition only of land in the Hanford Reservation. Said land to be held without development for hazardous waste disposal purposes until further authorization by the legislature and only after receipt by the legislature of hydrological and geological site surveys as well as other environmental data.

REAPPROPRIATION      APPROPRIATION

General Fund—State and Local Improvements Revolving Account Appropriation—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)

		200,000	0
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
0	0	200,000	12/7/77*

Representatives Shinpoch, Valle and Kilbury spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "I think the issue is whether or not there will be a development of hazardous waste on the Hanford Reservation. If we adopt your amendment will we be proceeding toward developing a hazardous waste spot there?"

Mr. Shinpoch: "This amendment says you may purchase the land and run the hydrological and geological tests on it and then if those tests prove that it is adequate or is a proper place for disposal, then you may come back for the money for development."

Mr. Zimmerman: "If we turned it down would we then be perhaps less likely to develop it and more likely to be dependent on the Oregon site which is established and which is serving this state?"

Mr. Shinpoch: "No, if you turn this amendment down, you would be more likely because the amendment that I am striking not only acquires the land, but develops the site without requiring that it go through the procedure of the hydrological and geological. I guess the answer to your second question is that you would be more likely, under this, to continue to use for some time the Oregon site than you would under the other amendment."

The amendment to the committee amendment was adopted.

Mr. Gaines moved adoption of the following amendment by Representatives Gaines, Walk, Grimm, Warnke, Salatino, Lee, North and Hurley (Margaret) to the committee amendment:

On page 29, after line 24 add a new subsection to read as follows:

"(15) Acquisition of land at Dash Point for state park.

General Fund - Outdoor Recreation Account

Appropriation:

Projects	Costs	
	Through	Total Cost
	6/30/77	\$375,000.00

The appropriation contained in subsection (15) is for the acquisition of 124 acres adjacent to Dash Point state park giving that tidelands park adequate areas to serve the large metropolitan population in its area."

Representatives Gaines, Hurley (Margaret) and Charnley spoke in favor of the amendment to the committee amendment, and Representatives Shinpoch and Polk spoke against it.

Mr. Gaines spoke again in favor of the amendment to the amendment, and it was adopted.

Mr. Gallagher moved adoption of the following amendment to the committee amendment:

On page 29, after line 24 add a new subsection to read as follows:

"(15) Acquisition of land surrounding the Penrose State Park.

	REAPPROPRIATION	APPROPRIATION
General Fund—ORA	0	125,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	0	125,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs
0	0	250,000
		Estimated Completion Date
		7/1/78

The appropriation contained in subsection (15) is for the acquisition of a seven-acre inholding surrounded by the Penrose State Park property and abutting public tidelands. The inholding is currently privately owned, known as Penrose Point, and consists of approximately fifteen hundred feet of low bank saltwater frontage. The land is being used by the public and presents management problems to the private owners, who are willing to sell."

Mr. Gallagher spoke in favor of the amendment to the committee amendment, and Representatives Shinpoch and Hawkins spoke against it.

The amendment was not adopted.

Mr. Martinis moved adoption of the following amendment to the committee amendment:



On page 39, line 2 strike "0" and insert "450,000" and on line 7 strike "0" and insert "450,000" and on line 12 strike "17,060,000" and insert "16,160,000"

Mr. Martinis spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

Mr. Martinis spoke again in favor of the amendment, and Mr. Shinpoch again spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Martinis to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment to the amendment was not adopted by the following vote: Yeas, 40; nays, 40; not voting, 18.

Voting yea: Representatives Becker, Berentson, Charette, Charnley, Clemente, Conner, Dunlap, Endboy, Erak, Fischer, Gaines, Gallagher, Grier, Grimm, Hanna, Hawkins, Hughes, Keller, Knowles, Martinis, May, McCormick, Moreau, Nelson D., Nelson G. A., North, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Smith, Tilly, Valle, Vrooman, Walk.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Blair, Boldt, Bond, Burns, Clayton, Craswell, Deccio, Douthwaite, Flanagan, Fortson, Fuller, Gilleland, Greengo, Gruger, Hansen, Heck, Hurley M., Kilbury, Knedlik, Kreidler, Leckenby, Lee, Lux, McKibbin, O'Brien, Oliver, Pardini, Polk, Shinpoch, Sommers, Struthers, Taller, Thompson, Warnke, Whiteside, Winsley.

Not voting: Representatives Adams, Barr, Chandler, Ehlers, Eng, Erickson, Fancher, Haley, Hurley G. S., King, Lysen, Maxie, Newhouse, Schmitt, Williams, Wilson, Zimmerman, and Mr. Speaker.

Mr. Martinis moved adoption of the following amendment to the committee amendment:

On page 39, line 30 strike "0" and insert "200,000" and on line 35 strike "0" and insert "200,000" and on line 40 strike "2,038,000" and insert "1,638,000"

Mr. Martinis spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

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

The Clerk read the following amendment by Representative Martinis to the committee amendment:

On page 49, after line 42 insert a new subsection as follows:

"(50) Relocation of the Seattle Regional Office

	REAPPROPRIATION		APPROPRIATION	
Game Fund—State	0		287,000	
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date	
0	0	287,000	6/30/79*	

Renumber the remaining subsections consecutively.

With the consent of the House, Mr. Martinis withdrew the amendment to the committee amendment.

On motion of Mr. Shinpoch, the following amendments to the committee amendment were adopted:

On page 43, line 22 strike "20,500" and insert "22,500"

On page 43, line 23 strike "61,500" and insert "67,500"

On page 43, line 28 strike "82,000" and insert "90,000"

On page 48, lines 18 and 23 strike "41,000" and insert "45,000"

Mr. Deccio moved adoption of the following amendment to the committee amendment:

On page 58, beginning with line 31 strike the balance of the paragraph and insert the following:

"The City of Olympia shall be granted from the general fund —outdoor recreation account appropriated pursuant to section 4(2) chapter 129, Laws of 1972 ex. sess., \$1,000,000 for the development and construction of the Washington Center for the Performing Arts, the city of Tacoma shall be granted \$1,000,000 from the same source, for renovation and restoration of the Roxy Theater project facility, and \$793,000 for the city of Yakima to complete restoration of the Capitol Theater project: PROVIDED, That such appropriations shall be contingent upon each city obtaining at least an equal amount of that appropriated under this act, from federal government, local government and/or private sources."

Representatives Deccio and Whiteside spoke in favor of the amendment to the committee amendment, and Representative Hurley (Margaret) spoke against it.

Mr. Deccio spoke again in favor of the amendment.

#### POINT OF ORDER

Representative Hurley (Margaret): "Why is Representative Deccio able to speak twice on his amendment? I was only able to talk once on my amendment. Do we have a double standard?"

The Speaker (Mr. O'Brien presiding): "You were operating under a different set of circumstances. Rule 51 states, 'No member shall speak more than twice on the same question without leave of the house: Provided, that the chairman/chairwoman of the committee or the mover of the question may close the debate except as provided in Rule 55. . . .' Rule 55 applied to you."

Mr. Deccio continued his remarks in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Deccio to the committee amendment to Engrossed Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 57; nays, 31; not voting, 10.

Voting yea: Representatives Amen, Bauer, Berentson, Blair, Boldt, Bond, Burns, Clayton, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Hawkins, Hughes, Keller, Kilbury, Knowles, Kreidler, Lee, Maxie, McCormick, Nelson D., Newhouse, North, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Smith, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Barnes, Becker, Bender, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Fortson, Gruger, Hanna, Heck, Hurley G. S., Hurley M., King, Knedlik, Leckenby, Lysen, Martinis, May, McKibbin, Moreau, O'Brien, Oliver, Owen, Shinpoch, Sommers, Thompson, Williams, Zimmerman.

Not voting: Representatives Adams, Barr, Chandler, Fancher, Haley, Lux, Nelson G. A., Schmitten, Wilson, and Mr. Speaker.

Mr. Taller moved adoption of the following amendment to the committee amendment:

On page 58, line 7 strike section 19 and renumber the remaining sections consecutively.

Representatives Taller, Polk, Douthwaite, Zimmerman and Shinpoch spoke in favor of the amendment to the committee amendment, and Representatives Ehlers, Keller, Hawkins, Deccio and Kreidler spoke against it.

Mr. Paris demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Chandler, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Eng, Flanagan, Fortson, Gaines, Gilleland, Greengo, Gruger, Hansen, Heck, Hurley M., Leckenby, Lee, Lux, Lysen, May, McKibbin, Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Burns, Charette, Charnley, Conner, Deccio, Ehlers, Enbody, Erak, Erickson, Fischer, Fuller, Gallagher, Grier, Grimm, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Martinis, Maxie, McCormick, Moreau, Nelson D., O'Brien, Owen, Pearsall, Pruitt, Salatino, Thompson, Valle, Vrooman, Walk, Williams, Winsley.

Not voting: Representatives Adams, Barr, Fancher, Haley, Schmitten, Wilson.

#### STATEMENT FOR THE JOURNAL

I wish the record to show that I wished to change my vote from "Yea" to "Nay" on the Taller amendment striking section 19 from the committee amendment on Engrossed Substitute Senate Bill No. 3110.

JIM WHITESIDE, 14th District.

#### MOTIONS

On motion of Mr. King, further consideration of Engrossed Substitute Senate Bill No. 3110 was deferred, and the bill was ordered to hold its place on the second reading calendar.

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

RESOLUTIONS

HOUSE RESOLUTION NO. 77-49, by Representatives Nelson (Gary), Fancher, Gruger, Charnley, Taller, Amen, Blair, Tilly, Maxie, Whiteside, Schmitt, Douthwaite, Zimmerman, Charette, Sanders, Eng, Pearsall, Craswell, Flanagan and Grimm:

WHEREAS, University of Washington men's and women's crews have swept the field this year; the women winning four of four West Coast championship races and the men winning four of five West Coast championship races; and

WHEREAS, This is the eighth year in a row that Husky crews have been Pacific Coast champions and in two of those years have won national championships; and

WHEREAS, University of Washington crews have ably represented the state and the nation in international, world, and Olympic rowing competitions since 1936; and

WHEREAS, In addition to their athletic prowess, crew members are among the academic elite of their university with the highest grade averages of any team; and

WHEREAS, Once again Coach Richard D. Erickson will take the men's varsity heavyweight and lightweight crews abroad this year to compete against champion European crews in world-renowned regattas in Lucerne, Switzerland, and Henley and Nottingham, England;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives sends highest congratulations on their achievements to Coach Erickson and the members of the crews and wishes them Godspeed, a following wind, and continued success on their European tour; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House to Coach Erickson, the members of his staff, and to each member of the championship crews.

Mr. Nelson (Gary) moved adoption of the resolution.

Representatives Nelson (Gary), Polk, Amen, Shinoda, Grimm, Hawkins and Burns spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. O'Brien presiding) appointed Representatives Amen, Douthwaite, Flanagan, Burns, Grimm, Nelson (Gary) and Polk to escort Coach Erickson to the rostrum.

Coach Erickson spoke briefly to the House, and the Speaker (Mr. O'Brien presiding) presented House Resolution No. 77-49 to him.

The Speaker (Mr. O'Brien presiding) requested the escort committee to escort Coach Erickson from the House Chamber.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGE FROM THE SENATE

June 7, 1977

Mr. Speaker:

The President has signed:

- SUBSTITUTE SENATE BILL NO. 2121,
- SENATE BILL NO. 2172,
- SENATE BILL NO. 2215,
- SUBSTITUTE SENATE BILL NO. 2430,
- SUBSTITUTE SENATE BILL NO. 2525,
- SUBSTITUTE SENATE BILL NO. 2527,
- SUBSTITUTE SENATE BILL NO. 2544,
- SENATE BILL NO. 2563,
- SUBSTITUTE SENATE BILL NO. 2654,
- SENATE BILL NO. 2668,
- SUBSTITUTE SENATE BILL NO. 3044,
- SECOND SUBSTITUTE SENATE BILL NO. 3067,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:

- SUBSTITUTE HOUSE BILL NO. 50,
- SUBSTITUTE HOUSE BILL NO. 194,

HOUSE BILL NO. 195,  
 SUBSTITUTE HOUSE BILL NO. 225,  
 HOUSE BILL NO. 285,  
 HOUSE BILL NO. 316,  
 SUBSTITUTE HOUSE BILL NO. 348,  
 HOUSE BILL NO. 355,  
 SUBSTITUTE HOUSE BILL NO. 384,  
 SUBSTITUTE HOUSE BILL NO. 393,  
 SUBSTITUTE HOUSE BILL NO. 402,  
 HOUSE BILL NO. 414,  
 SUBSTITUTE HOUSE BILL NO. 508,  
 SUBSTITUTE HOUSE BILL NO. 512,  
 SUBSTITUTE HOUSE BILL NO. 531,  
 SUBSTITUTE HOUSE BILL NO. 572,  
 SUBSTITUTE HOUSE BILL NO. 643,  
 HOUSE BILL NO. 653,  
 HOUSE BILL NO. 703,  
 HOUSE BILL NO. 733,  
 SUBSTITUTE HOUSE BILL NO. 737,  
 HOUSE BILL NO. 778,  
 HOUSE BILL NO. 825,  
 HOUSE BILL NO. 933,  
 SUBSTITUTE HOUSE BILL NO. 1142,  
 HOUSE BILL NO. 1153,  
 SUBSTITUTE HOUSE BILL NO. 1189,  
 SUBSTITUTE HOUSE BILL NO. 1213,  
 HOUSE BILL NO. 1232,  
 HOUSE CONCURRENT RESOLUTION NO. 4,  
 HOUSE CONCURRENT RESOLUTION NO. 18,  
 SUBSTITUTE SENATE BILL NO. 2121,  
 SENATE BILL NO. 2172,  
 SENATE BILL NO. 2215,  
 SUBSTITUTE SENATE BILL NO. 2430,  
 SUBSTITUTE SENATE BILL NO. 2525,  
 SUBSTITUTE SENATE BILL NO. 2527,  
 SUBSTITUTE SENATE BILL NO. 2544,  
 SENATE BILL NO. 2563,  
 SUBSTITUTE SENATE BILL NO. 2654,  
 SENATE BILL NO. 2668,  
 SUBSTITUTE SENATE BILL NO. 3044,  
 SECOND SUBSTITUTE SENATE BILL NO. 3067.

#### MESSAGE FROM THE SENATE

June 7, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2516 on page 7, line 26, and on page 8, line 11, and does not concur in the amendments to page 3, line 6 and page 3, line 10, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kilbury moved that the House insist on its position and again ask the Senate to concur in all of the House amendments to Engrossed Senate Bill No. 2516.

Representatives Kilbury, Amen, Clayton and Hansen spoke in favor of the motion, and Ms. Becker spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House insist on its position with regard to the House amendments to Engrossed Senate Bill No. 2516, and the motion was carried by the following vote: Yeas, 64; nays, 19; not voting, 15.

Voting yea: Representatives Amen, Barr, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Maxie, May, McKibbin, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Tilly, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Becker, Berentson, Bond, Charette, Craswell, Fortson, Gruger, Hanna, Hawkins, Knowles, Lysen, McCormick, Nelson G. A., Pardini, Polk, Pruitt, Thompson, Valle, Vrooman.

Not voting: Representatives Adams, Barnes, Bauer, Bender, Douthwaite, Erak, Gaines, Haley, Hurley G. S., Martinis, Moreau, Sommers, Williams, Wilson, and Mr. Speaker.

### SENATE AMENDMENT TO HOUSE BILL

June 3, 1977

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 448 with the following amendment:

On page 4, after line 34 add the following:

"At the time the temporary cease and desist order is served, the licensee shall be notified that he is entitled to request a hearing for the sole purpose of determining whether or not the public interest imperatively requires that the temporary cease and desist order be continued or modified pending the outcome of the hearing to determine whether or not the order will become permanent. The hearing shall be held within thirty days after the department receives the request for hearing, unless the licensee requests a later hearing. A licensee may secure review of any decision rendered at a temporary cease and desist order review hearing in the same manner as a contested case."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendment to House Bill No. 448.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 448 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 448 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bauer, Becker, Bender, Clemente, Douthwaite, Gaines, Haley, Martinis, Moreau, Shinpoch, Sommers, Wilson.

House Bill No. 448 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

June 7, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1277 with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. There is hereby created the Temporary Committee on Educational Policies, Structure and Management which shall consist of nine citizen members, appointed by the governor, one member from each political party of the house of representatives, appointed by the speaker of the house, and one member from each political party of the senate, appointed by the president of the senate. The nine citizen members shall be selected so as to assure representation for the geographical regions of the state.

**NEW SECTION.** Sec. 2. The educational complex in Washington consists of several components: Pre-school; the common school system, which includes kindergarten through high school; the various delivery systems of vocational education; the community college system; the state colleges and universities; the independent and/or private institutions; educational instruction within other state institutions; and the supporting

elements of each. Generally these components are organized into these sectors: Preschool-12th grade, vocational, and postsecondary.

While there have been important reports on one or the other of these sectors, or on individual components, there has not been a comprehensive review of their interrelationships for at least three decades.

A review of the educational complex is merited so that the legislative and administrative branches of government and the public may consider these and other questions: Coordination; needs of students and response to those needs; the role and missions of the components; educational diversity and independence; obstacles to orderly student progression; open access; efficiency; duplication; accreditation; graduation and entrance requirements from high school to postsecondary; efficient uses of public dollars; ways to improve the system possibly through managerial reorganization or combining of components; accountability of the various levels; student achievement; and a determination of what constitutes good instruction.

**NEW SECTION. Sec. 3.** The Temporary Committee on Educational Policies, Structure and Management shall undertake a general review of Washington education, its strengths and areas needed for improvement, and make a report on its findings to the governor, the legislature and the citizens of the state.

This review shall include an examination of those questions raised in section 2 of this act and:

- (1) An emphasis on the education of the student;
- (2) An examination of the current general practices in the sectors and their components with particular attention directed to their interrelationships, obstacles to student mobility and progression, and how the system or its components might be improved;
- (3) Examination of the educational goals of the sectors and a determination of their intended or proposed interrelationships and the extent to which they are consistent with each other;
- (4) Determination of the extent of duplication of educational services in both the vocational and academic areas, the extent to which such duplication may be unwarranted, and proposed corrections; and
- (5) Consideration of the nature and extent of any benefits, including those pertaining to student access, progression, and learning, improved information, and cost reduction, as well as any disadvantages, that might accrue from structural reorganization in Washington education.

The committee shall submit its report not later than February 15, 1979, and it shall cease its existence not later than June 30, 1979.

**NEW SECTION. Sec. 4.** The Temporary Committee on Educational Policies, Structure and Management may accept and expend funds in accordance with chapter 43.88 RCW from private sources and grants from public agencies for the purposes of fulfilling its duties: PROVIDED, That the acceptance and expenditure of such funds first must be approved by the governor.

The committee may establish advisory committees and task forces, as it may deem necessary, to assist it in the fulfillment of its duties.

The educational institutions, delivery systems, and support systems of the state shall fully cooperate with the committee in its investigations and deliberations.

The committee may employ such staff or consultants that it may deem necessary to fulfill its duties.

**NEW SECTION. Sec. 5.** There is hereby appropriated the sum of two hundred fifty thousand dollars, or so much of it as may be necessary, from the state general fund, to be used by the committee for the purposes of carrying out the provisions of sections 1 through 4 of this act.

**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."

Beginning on line 1 of the title after "education;" strike the remainder of the title and insert "providing for a Temporary Committee on Educational Policies, Structure and Management; describing its powers and duties; providing for its expiration; and making an appropriation." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Clemente, the House refused to concur in the Senate amendments to Substitute House Bill No. 1277, and asked the Senate to recede therefrom.

#### SENATE AMENDMENTS TO HOUSE BILL

June 7, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 743 with the following amendments:

On page 1, line 6 after "state" and before "present" insert "for the purpose of transshipment of crude oil"

On page 1, line 10 after "spills" and before "in" strike "inherent"

On page 1, line 11 after "state" and before "can" insert "for the purpose of transshipment of crude oil"

On page 1, line 30 after "facility" and before "on" insert "for the purpose of the transshipment of crude oil"

On page 2, line 7 after "facility" and before the colon insert "only if such a pipeline is designed to be located entirely within the United States"

On page 2, line 12 after "existing" and before "facilities" insert "receiving or transfer"

On page 2, lines 14–15, strike all of section 3 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Lysen moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 743.

Representatives Lysen and Dunlap spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Lysen, I'm a little concerned about the language on page 2, line 7. The additional language which reads, 'only if such a pipeline is designed to be located entirely within the United States.' I would like you to respond to this idea. Does this language in any way create a loophole under which the construction of a transmission facility could be built which would use a Canadian line or a trans Canada line by specifying that this act only deals with an all U.S. line?"

Mr. Lysen: "No, Representative Charnley. The intent of this amendment is specifically to clarify that we want an all-American line and that line is to be built at or west of Port Angeles."

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 743, and the motion was carried by the following vote: Yeas, 70; nays, 18; not voting, 10.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., Newhouse, North, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Struthers, Taller, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Berentson, Charette, Conner, Erak, Gallagher, Gilleland, Greengo, Keller, King, Maxie, Nelson G. A., O'Brien, Owen, Pearsall, Thompson, Tilly, Vrooman.

Not voting: Representatives Adams, Blair, Deccio, Gaines, Haley, Martinis, Moreau, Sommers, Wilson, and Mr. Speaker.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 743 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 743 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 71; nays, 21; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, May, McCormick, McKibbin, Nelson D., North, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Valle, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Chandler, Charette, Conner, Erak, Gallagher, Gilleland, Greengo, Grimm, Keller, King, Maxie, Nelson G. A., Newhouse, O'Brien, Owen, Pearsall, Thompson, Tilly, Vrooman, Walk.

Not voting: Representatives Adams, Gaines, Haley, Martinis, Moreau, Wilson.

Engrossed Substitute House Bill No. 743 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.

The Speaker (Mr. O'Brien presiding) called on Mr. Bauer to preside.

## PRESENTATION OF GIFT

The Speaker (Mr. Bauer presiding) requested the Sergeant at Arms and Representatives Fortson, Valle, North and Fancher to escort Speaker John Bagnariol and his wife, Edna, to the rostrum.

Mr. Bauer presented Speaker and Mrs. Bagnariol with a gift on behalf of the members of the House.

Mr. O'Brien resumed the Chair.

## MOTION

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

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3110:

The House resumed consideration of the bill on second reading.

## MOTION FOR RECONSIDERATION

Mr. Warnke, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Taller to page 58, line 17 of the committee amendment was adopted.

Mr. Warnke spoke in favor of the motion, and Mr. Shinpoch spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Taller amendment to the committee amendment to Engrossed Substitute Senate Bill No. 3110 was adopted, and the motion was carried by the following vote: Yeas, 54; nays, 46; not voting, 8.

Voting yea: Representatives Barnes, Boldt, Bond, Burns, Charette, Charnley, Clayton, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fuller, Gallagher, Gilleland, Greengo, Grimm, Hanna, Hawkins, Heck, Hughes, Keller, King, Knedlik, Kreidler, Lee, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pardini, Patterson, Pruitt, Salatino, Schmittens, Sherman, Shinoda, Smith, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bender, Berentson, Blair, Chandler, Clemente, Craswell, Douthwaite, Eng, Flanagan, Fortson, Grier, Gruger, Hansen, Hurley G. S., Hurley M., Knowles, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson G. A., Newhouse, Paris, Polk, Sanders, Shinpoch, Sommers, Taller, Tilly, Zimmerman.

Not voting: Representatives Adams, Bauer, Becker, Gaines, Haley, Kilbury, Pearsall, Wilson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the Taller amendment to page 58, line 17 of the committee amendment.

Representatives Hurley (Margaret), Amen, Nelson (Gary), Taller and Zimmerman spoke in favor of the amendment to the committee amendment, and Representatives Ehlers and Deccio spoke against it.

## ROLL CALL

The Clerk called the roll on the reconsideration of the Taller amendment to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Chandler, Charnley, Clemente, Craswell, Douthwaite, Eng, Fancher, Flanagan, Fortson, Gilleland, Gruger, Heck, Hurley M., Knowles, Leckenby, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, Paris, Polk, Sanders, Schmittens, Shinpoch, Smith, Sommers, Taller, Zimmerman.

Voting nay: Representatives Boldt, Bond, Burns, Charette, Clayton, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fischer, Fuller, Gallagher, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Martinis, Moreau, North, O'Brien, Oliver, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley.

Not voting: Representatives Adams, Gaines, Haley, Wilson, and Mr. Speaker.

Mr. Burns moved adoption of the following amendments to the committee amendment:

On page 61, line 25 strike "0" and insert "1,500,000"

On page 61, line 31 strike "41,000,000" 6,300,000" and insert "42,500,000 7,800,000"

Representatives Burns and Shinpoch spoke in favor of the amendments to the committee amendment, and they were adopted.



Mr. Polk moved adoption of the following amendment to the committee amendment:

On page 61, line 20 strike subsection (12) and insert:

"(12) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		2,800,000	7,753,000
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
8,367,000	18,080,000	41,000,000	6/81"

Representatives Polk, Pardini and Patterson spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

Mr. Charnley demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was not adopted by the following vote: Yeas, 28; nays, 62; not voting, 8.

Voting yea: Representatives Amen, Berentson, Bond, Burns, Chandler, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hughes, Lee, Oliver, Pardini, Paris, Patterson, Polk, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside.

Voting nay: Representatives Barr, Bauer, Becker, Bender, Blair, Boldt, Charette, Charnley, Clemente, Conner, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Gaines, Haley, Leckenby, Newhouse, Wilson, Winsley.

The Speaker assumed the Chair.

Mr. Patterson moved adoption of the following amendment by Representatives Patterson and Amen to the committee amendment:

On page 63, line 37 strike subsection (8) and insert:

"(8) To provide minor building alterations or renovations for safety, increased efficiency, and extension of building life.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		683,000	3,379,000
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
1,472,000	5,570,000	11,929,000	6/83"

Representatives Patterson, Polk, Pardini and Oliver spoke in favor of the amendment to the committee amendment, and Representatives Blair and Shinpoch spoke against it.

The amendment was not adopted.

Mr. Patterson moved adoption of the following amendment by Representatives Patterson and Amen to the committee amendment:

On page 63, line 48 strike subsection (9) and insert:

"(9) To construct and equip modifications to existing utility production and distribution systems.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		345,000	4,605,000
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
1,806,000	2,431,000	9,187,000	6/83"

Representatives Patterson and Pardini spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Patterson: "Would it be possible at this time to hold the amendment that is before us until we can address the policy question that has been raised by Representative Shinpoch and come back to this after a major decision is made on the policy of whether or not we are going to hold projects?"

The Speaker: "That would be in order, Representative Patterson."

At the request of Mr. Patterson, further consideration of the amendment was deferred.

Ms. Erickson moved adoption of the following amendment by Representatives Erickson, Shinpoch, Lux, Blair, Becker and Sommers to the committee amendment:  
On page 66, line 21 strike everything down to and including line 30.

Representatives Erickson, Polk, Shinpoch and Bond spoke in favor of the amendment to the committee amendment, and Representatives Hughes, Pardini and Hurley (Margaret) spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson and others to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 50; nays, 39; not voting, 9.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erickson, Fancher, Flanagan, Fortson, Greengo, Gruger, Hanna, Hansen, Hawkins, Hurley G. S., Kilbury, Lee, Lux, Lysen, Maxie, McKibbin, Nelson D., Nelson G. A., Oliver, Patterson, Polk, Pruitt, Sanders, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Whiteside, and Mr. Speaker.

Voting nay: Representatives Barr, Boldt, Bond, Burns, Conner, Ehlers, Enbody, Erak, Fischer, Fuller, Gallagher, Gilleland, Grier, Grimm, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Martinis, May, McCormick, Moreau, North, Owen, Pardini, Pearsall, Salatino, Sherman, Thompson, Valle, Vrooman, Walk, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Gaines, Haley, Leckenby, Newhouse, O'Brien, Paris, Warnke, Wilson.

Ms. Erickson moved adoption of the following amendment by Representatives Erickson, Shinpoch, Lux, Blair, Becker and Sommers to the committee amendment:

On page 69, line 12 strike everything down to and including line 21.

Representatives Erickson, Shinpoch and Tilly spoke in favor of the amendment to the committee amendment, and Representatives Kreidler and Keller spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson and others to page 69 of the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 57; nays, 30; not voting, 11.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Charnley, Clayton, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erickson, Fancher, Fischer, Flanagan, Gallagher, Greengo, Gruger, Hanna, Hansen, Hawkins, Hurley M., Kilbury, Knedlik, Knowles, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., O'Brien, Oliver, Patterson, Polk, Sanders, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Tilly, Warnke, Whiteside, Winsley, and Mr. Speaker.

Voting nay: Representatives Burns, Charette, Conner, Ehlers, Enbody, Erak, Fuller, Gilleland, Grier, Grimm, Heck, Hughes, Keller, King, Kreidler, Lee, Nelson D., North, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sherman, Thompson, Valle, Walk, Williams, Zimmerman.

Not voting: Representatives Adams, Barnes, Chandler, Clemente, Fortson, Gaines, Haley, Hurley G. S., Newhouse, Vrooman, Wilson.

Mr. Shinpoch moved adoption of the following amendments to the committee amendment:

On page 79, line 38 strike "1,800,000" and insert "1,300,000"

On page 79, line 43, strike "1,800,000" and insert "1,300,000"

Mr. Shinpoch spoke in favor of the amendments, and Mr. Ehlers spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Shinpoch to page 79 of the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendments were adopted by the following vote: Yeas, 73; nays, 19; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite,

Dunlap, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., O'Brien, Oliver, Owen, Pardini, Polk, Pruitt, Sanders, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Whiteside, and Mr. Speaker.

Voting nay: Representatives Ehlers, Enbody, Fischer, Grier, Grimm, Hughes, Kreidler, Nelson D., North, Paris, Pearsall, Salatino, Sherman, Valle, Walk, Warnke, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Gaines, Haley, Newhouse, Patterson, Wilson.

Mr. Shipoch moved adoption of the following amendment by Representatives Erickson, Shipoch, Lux, Blair, Becker and Sommers to the committee amendment:

On page 79, line 35 strike everything down to and including line 50.

Representatives Shipoch and Erickson spoke in favor of the amendment to the amendment, and Representatives Ehlers and Thompson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson and others to page 79 of the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 62; nays, 28; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley M., Kilbury, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Oliver, Polk, Pruitt, Sanders, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Whiteside, Winsley.

Voting nay: Representatives Burns, Conner, Ehlers, Enbody, Fischer, Gilleland, Grimm, Hughes, Hurley G. S., Keller, King, Kreidler, North, O'Brien, Owen, Pardini, Paris, Pearsall, Salatino, Sherman, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Gaines, Haley, Maxie, Newhouse, Patterson, Wilson.

Ms. Erickson moved adoption of the following amendment by Representatives Erickson, Shipoch, Lux, Blair, Becker and Sommers to the committee amendment:

On page 80, line 1 strike everything down to and including line 9.

Representatives Erickson and Shipoch spoke in favor of the amendment to the amendment, and Representatives Thompson, Fuller, Paris and Enbody spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson and others to page 80 of the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 56; nays, 34; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley M., Kilbury, Knedlik, Knowles, Leckenby, Lee, Lux, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Oliver, Polk, Pruitt, Sanders, Schmitten, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Whiteside, Winsley.

Voting nay: Representatives Burns, Conner, Ehlers, Enbody, Fischer, Gilleland, Grimm, Hughes, Hurley G. S., Keller, King, Kreidler, North, O'Brien, Owen, Pardini, Paris, Pearsall, Salatino, Sherman, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Gaines, Haley, Maxie, Newhouse, Patterson, Wilson.

#### MOTION

On motion of Mr. King, further consideration of Engrossed Substitute Senate Bill No. 3110 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 301,  
SUBSTITUTE HOUSE BILL NO. 880.

## REPORT OF CONFERENCE COMMITTEE

June 4, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 2493, making miscellaneous changes in community college law, have had the same under consideration, and we recommend that the bill do pass as amended by the House.

Signed by Senators Odegaard, Benitz, Sandison; Representatives Erickson, Conner, Flanagan.

## MOTION

On motion of Ms. Erickson, the House adopted the report of the Conference Committee on Senate Bill No. 2493.

FINAL PASSAGE OF SENATE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Senate Bill No. 2493 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2493 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Boldt, Gaines, Haley, Leckenby, McKibbin, Vrooman, Whiteside, Wilson.

Senate Bill No. 2493 as recommended by the 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.

## MOTIONS

On motion of Mr. Bender, SENATE BILL NO. 2422 was rereferred from Committee on State Government to the Committee on Appropriations.

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, June 9, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

NINETY-FIRST DAY

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MORNING SESSION

---

House Chamber, Olympia, Wash., Thursday, June 9, 1977.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Haley and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Brooke Brakefield and Rick Smith. Prayer was offered by Reverend Lester G. Olson 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.

MESSAGE FROM THE GOVERNOR

June 8, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 8, 1977, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 125: Revising laws affecting residents of soldiers' and veterans' homes.

SUBSTITUTE HOUSE BILL NO. 153: Revising the law on public works contracts.

SUBSTITUTE HOUSE BILL NO. 340: Exempting securities issued by nonprofit recognized religious denominations from state securities regulation laws.

SUBSTITUTE HOUSE BILL NO. 470: Setting forth the "In-service training act of 1977" for common school personnel training.

HOUSE BILL NO. 694: Authorizing the state patrol to dispose of certain real property.

SUBSTITUTE HOUSE BILL NO. 798: Expanding the right to be free from discrimination.

HOUSE BILL NO. 828: Authorizing civil penalties against collection agencies.

HOUSE BILL NO. 842: Removing county auditor filing requirements for business corporations.

Sincerely,  
Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

June 8, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 280,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 50,

SUBSTITUTE HOUSE BILL NO. 194,

HOUSE BILL NO. 195,

SUBSTITUTE HOUSE BILL NO. 225,

HOUSE BILL NO. 285,

HOUSE BILL NO. 301,

HOUSE BILL NO. 316,  
 SUBSTITUTE HOUSE BILL NO. 348,  
 HOUSE BILL NO. 355,  
 SUBSTITUTE HOUSE BILL NO. 384,  
 SUBSTITUTE HOUSE BILL NO. 393,  
 SUBSTITUTE HOUSE BILL NO. 402,  
 HOUSE BILL NO. 414,  
 SUBSTITUTE HOUSE BILL NO. 508,  
 SUBSTITUTE HOUSE BILL NO. 512,  
 SUBSTITUTE HOUSE BILL NO. 531,  
 SUBSTITUTE HOUSE BILL NO. 572,  
 SUBSTITUTE HOUSE BILL NO. 643,  
 HOUSE BILL NO. 653,  
 HOUSE BILL NO. 703,  
 HOUSE BILL NO. 733,  
 SUBSTITUTE HOUSE BILL NO. 737,  
 HOUSE BILL NO. 778,  
 HOUSE BILL NO. 825,  
 SUBSTITUTE HOUSE BILL NO. 880,  
 HOUSE BILL NO. 933,  
 SUBSTITUTE HOUSE BILL NO. 1142,  
 HOUSE BILL NO. 1153,  
 SUBSTITUTE HOUSE BILL NO. 1189,  
 SUBSTITUTE HOUSE BILL NO. 1213,  
 HOUSE BILL NO. 1232,  
 HOUSE CONCURRENT RESOLUTION NO. 4,  
 HOUSE CONCURRENT RESOLUTION NO. 18,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2445,  
 SUBSTITUTE SENATE BILL NO. 2502,  
 SENATE BILL NO. 2662,  
 SENATE BILL NO. 2667,  
 SENATE BILL NO. 3068,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2042, and the President has appointed as Senate conferees: Senators Talley, Wanamaker, Mardesich.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 2493, and has passed the bill as amended by the Conference Committee.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2502, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2662, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2667, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 8, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 353, and has granted said committee the powers of Free Conference and the report of the Conference Committee is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 353, revising the provisions of the law of compensating victims of crimes, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Francis, Bottiger; Representatives Smith, Newhouse, Knedlik.

## MOTION

Mr. Smith moved that the report of the Conference Committee be adopted, and that the committee be granted the powers of Free Conference.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, if the House does not grant the powers of Free Conference, would the Conference Committee then be required to go back and attempt to reach a different result? What would the status of the bill be?"

The Speaker (Mr. O'Brien presiding): "That would probably be the next procedure to take. You could ask the Conference Committee to go back and try to resolve the differences without the powers of Free Conference."

Mr. Charette: "Does that require a motion or merely not giving them the powers of Free Conference?"

The Speaker (Mr. O'Brien presiding): "If the motion to grant the powers of Free Conference is defeated, the Conference Committee would still be in the same position."

Representatives Charette and Leckenby spoke against the motion, and Representatives Smith, Tilly and Knedlik spoke in favor of it.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "Representative Charette, I listened carefully to the speaker who spoke after you did, and heard his response to your complaints. It occurred to me that these same people who want to relax this law have resisted tightening up the incarceration of criminals and felons and making these places secure and now they are using the fact that these places are not secure to justify their change in this bill. Has anybody answered that question? Why should my people in the third district pay through the state in order to get this double-dip? Would you explain that again?"

Mr. Charette: "I did not use the term 'double-dip.' Somebody else talked about that. I believe that this bill is only partially related to incarceration. It really is probably pointed more toward a more reasonable administration of a parole system and a work release program and other such matters. Again, they have added a section which provides funding of the program

by putting a twenty-five dollar fine on each person who is convicted of a felony and taking twenty-five dollars out of each bail forfeiture on a felony charge. I don't think the two are entirely related, but only incidentally."

#### MOTION

Mrs. Hurley (Margaret) moved that further consideration of the Conference Committee report be deferred, and that it be made a special order of business for 2:00 p.m.

Mr. Smith spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to defer consideration of the Conference Committee report on Engrossed Substitute House Bill No. 353 and make it a special order of business at 2:00 p.m., and the motion was lost by the following vote: Yeas, 17; nays, 61; not voting, 20.

Voting yea: Representatives Deccio, Dunlap, Fancher, Fuller, Gallagher, Gilleland, Greengo, Hughes, Hurley M., Leckenby, May, Pardini, Paris, Shinoda, Taller, Whiteside, Winsley.

Voting nay: Representatives Barnes, Barr, Bauer, Becker, Bender, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Erak, Fischer, Flanagan, Fortson, Gaines, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinpoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Williams, Zimmerman.

Not voting: Representatives Adams, Amen, Berentson, Blair, Clayton, Enbody, Eng, Erickson, Haley, Hanna, Lee, Lysen, Martinis, Maxie, Nelson G. A., Newhouse, Salatino, Warnke, Wilson, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to adopt the Conference Committee report and grant the powers of Free Conference on Engrossed Substitute House Bill No. 353.

#### ROLL CALL

The Clerk called the roll on the motion to adopt the Conference Committee report on Engrossed Substitute House Bill No. 353, and the motion was carried by the following vote: Yeas, 53; nays, 28; not voting, 17.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Deccio, Douthwaite, Dunlap, Fischer, Fortson, Fuller, Grier, Hansen, Hawkins, Heck, Hughes, King, Knedlik, Knowles, Kreidler, Lux, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Smith, Tilly, Valle, Whiteside, Williams, Winsley.

Voting nay: Representatives Barr, Becker, Blair, Charette, Craswell, Erak, Flanagan, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hurley M., Keller, Kilbury, Leckenby, May, Owen, Pardini, Shinpoch, Sommers, Struthers, Taller, Thompson, Vrooman, Walk, Zimmerman.

Not voting: Representatives Adams, Conner, Ehlers, Enbody, Eng, Erickson, Fancher, Haley, Hanna, Hurley G. S., Lee, Lysen, Martinis, Salatino, Warnke, Wilson, and Mr. Speaker.

#### MOTION

On motion of Mr. King, the House advanced to the sixth order of business.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard, Scott and Newschwander):

Adopting the 1977-1979 capital budget.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 88th and 90th Days ex. sess., June 6 and June 8, 1977.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Patterson and Amen to page 63, line 48 of the committee amendment.

Mr. Patterson spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Patterson and Amen to page 63 of the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was not adopted by the following vote: Yeas, 38; nays, 46; not voting, 14.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Boldt, Bond, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Enbody, Fancher, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo,



Hughes, Leckenby, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Sherman, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charette, Clemente, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Grier, Grimm, Gruger, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Barr, Chandler, Haley, Hanna, Hansen, Lee, Lysen, Martinis, Nelson G. A., Newhouse, Salatino, Warnke, Wilson.

The Clerk read the following amendment by Representatives Amen and Patterson to the committee amendment:

On page 64, line 22 strike subsection (11) and insert:

"(11) To construct and equip new receiving and delivery facility.

	REAPPROPRIATION		APPROPRIATION
WSU Bldg Acct		5,000	465,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
14,000	0	484,000	9/78*

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

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Bond to the committee amendment:

On page 65 of the amendment, line 27 strike subsection (2) and insert:

"(2) To perform minor capital improvements to correct facility deficiencies and improve utilization.

	REAPPROPRIATION		APPROPRIATION
EWSC Cap Proj Acct		125,000	678,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
135,000	0	938,000	6/79*

Mr. Pardini spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

POINT OF INQUIRY

Mr. Shinpoch refused to yield to question by Mr. Bond.

Mr. Bond spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke again in opposition to it.

Mr. Pardini spoke again in favor of the amendment to the committee amendment.

POINT OF ORDER

Mr. Douthwaite: "The speaker is not addressing himself to the amendment before us. He is lambasting the Chairman of the committee for something else which I think is rather tangential and aside from the point."

The Speaker (Mr. O'Brien presiding): "Your point is well taken. Please hold your remarks to the question at hand and avoid personalities, Representative Pardini."

POINT OF PERSONAL PRIVILEGE

Mr. Shinpoch: "I don't think Representative Pardini or anyone else in this House who has been around very long, and even those who haven't been around very long, really think that anyone makes the decisions I propose to you and that I'm willing to stand behind, except me. We have a good professional staff and they act like professionals. We don't hire yes-men. We basically have a staff Representative Bagnariol selected. You have to give Representative Bagnariol credit for selecting an outstanding staff and they do outstanding work. They do some good critical work and I don't even believe Representative Pardini believes that I am overly influenced by him or staff or anyone else. I look at all the data I can find and once I've run all of that up and made a balance sheet in my head, then I propose that we put something in a budget and we propose that to you. That's what happened in this one. We went through these,

Representative McKibbin and Representative Blair and others, time after time after time in long sessions—long tedious sessions. I don't really think Representative Pardini believes that. I think he thinks his argument is so weak he has to get off on to something else, but in any event, I hope that no one in this House really thinks I'm so weak that the staff runs me."

**POINT OF PERSONAL PRIVILEGE**

Mr. Pardini: "First of all, Mr. Speaker, ladies and gentlemen of the House, if I have indicated to you that there is any disrespect for some of the things Representative Shinpoch has done, I would retract that and I would apologize here immediately. If I have indicated to you that this place is being run by the staff, I will apologize part way. I will compliment the staff on it, but let's be realistic and I will, under the point of personal privilege, restate what I said before because it has to be said. We get these items and the burden is on us to change them. This becomes the gospel—Matthew, Mark, Luke and John—and we have to change it."

**SPEAKER'S ADMONITION (MR. O'BRIEN PRESIDING)**

The Speaker (Mr. O'Brien presiding): "You're out of order now, Representative Pardini."

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representatives Pardini and Bond to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was not adopted by the following vote: Yeas, 37; nays, 51; not voting, 10.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Flanagan, Fuller, Gilleland, Greengo, Hughes, Hurley M., Leckenby, Lee, May, Moreau, Nelson G. A., Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Embody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Fancher, Haley, Heck, Lysen, Newhouse, Salatino, Warnke, Wilson.

Mr. Oliver moved adoption of the following amendment by Representatives Oliver and Flanagan to the committee amendment:

On page 68, line 21 insert the following new subsection:

"(9) To perform minor renovations, additions and remodeling for safety, increased utilization, and preservation of facilities.

	REAPPROPRIATION		APPROPRIATION
WCSC Cap Proj Acct		0	100,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	1,400,000	1,500,000	6/83"

Representatives Oliver and Shinpoch spoke in favor of the amendment, and it was adopted.

Mr. Hansen moved adoption of the following amendment by Representatives Hansen and Flanagan to the committee amendment:

On page 68, after line 21 add a new subsection as follows:

"(10) To renovate and remodel Bouillon Hall for utilization as an instruction and faculty office building. Estimated project completion date 7/77.

	REAPPROPRIATION		APPROPRIATION
St H Ed Constr Acct		115,000	2,000,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs through 6/30/79
109,000	0	2,224,000	2,115,000"

Representatives Hansen, Flanagan and Shinpoch spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Polk moved adoption of the following amendment to the committee amendment:  
On page 61, line 25 strike "0" and insert "\$4,235,000"

Mr. Polk spoke in favor of the amendment to the amendment, and Mr. Shinpoch spoke against it.

Mr. Polk spoke again in favor of the amendment.

**SPEAKER'S RULING (MR. O'BRIEN PRESIDING)**

The Speaker (Mr. O'Brien presiding): "Representative Polk, I'm sorry to have to do this to you, but apparently we adopted an amendment yesterday setting forth an amount of \$1,500,000 and so your amendment is faulty and in error the way it is presented at this time. It would appear to me if you want to change the \$1,500,000 to \$4,235,000, you'd have to move to reconsider the action the House adopted yesterday and change those figures."

Mr. Polk: "Could I inquire a little further into this? The amendment was laid on the desk yesterday, and we had many situations that we've addressed in the budget, both the operating and the capital budget, where we have agreed between the two parties that we would not have to go back and change all the numbers down the line to get it in concept, and I thought this is what we were doing in this situation, that you could go back and adjust a number. Once Representative Burns' amendment passed, then anything else that would deal with that, according to what you are telling me, would have to be immediately withdrawn."

The Speaker (Mr. O'Brien presiding): "You're amending the same line and same part of the subsection as the amendment that was adopted by Representative Burns. The Speaker is going to rule this amendment out of order."

Mr. Patterson moved adoption of the following amendment to the committee amendment:  
On page 63, beginning on line 41 strike all the material down to and including "683,000" on line 47 and insert:

"WSU Bldg Acct		683,000	1,983,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
1,472,000	5,570,000	11,929,000	4,062,000"

Representatives Patterson, Shinpoch and Blair spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Patterson moved adoption of the following amendment to the committee amendment:  
On page 64, beginning on line 3, strike all the material down to and including "345,000" on line 9 and insert:

"WSU Bldg Acct		345,000	4,324,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
1,806,000	2,431,000	9,187,000	4,950,000"

Representatives Patterson and Bond spoke in favor of the amendment to the amendment, and Mr. Shinpoch spoke against it.

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representative Patterson to page 64 of the committee amendment, and the amendment was not adopted by the following vote: Yeas, 37; nays, 52; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Deccio, Eng, Erak, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grimm, Lee, Moreau, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Erickson, Fischer, Fortson, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Dunlap, Ehlers, Enbody, Gaines, Haley, Leckenby, Wilson, Winsley.

Mr. Conner moved adoption of the following amendment to the committee amendment:

On page 80, line 26 insert the following new section:

**\*NEW SECTION, Sec. 28. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**  
 Estimated Total Cost of Projects \$5,305,400

Biennial Amounts By Fund Source		Carryover	Current	Total
GF Fund—Fire Training				
Construction Account		0	194,400	194,400
Total Funds		0	194,400	194,400

(1) Fire Service Training Center

		REAPPROPRIATION		APPROPRIATION
GF Fund—Fire Training				
Construction Account			0	194,400
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date	
0	5,111,000	5,305,400	6/30/83*	

Renumber the remaining sections consecutively.

Mr. Conner spoke in favor of the amendment to the committee amendment, and Mr. Shipoch spoke against it.

Mr. Conner spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Conner to page 80 of the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was adopted by the following vote: Yeas, 67; nays, 21; not voting, 10.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Dunlap, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, McCormick, Moreau, Newhouse, North, O'Brien, Owen, Pardini, Paris, Polk, Salatino, Sanders, Schmitt, Sherman, Smith, Tallor, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Boldt, Clemente, Douthwaite, Fancher, Flanagan, Fortson, Greengo, Gruger, Hanna, Hansen, Hawkins, Maxie, May, McKibbin, Nelson G. A., Oliver, Pearsall, Pruitt, Shinoda, Shipoch, Struthers.

Not voting: Representatives Adams, Amen, Ehlers, Haley, Leckenby, Nelson D., Patterson, Sommers, Wilson, and Mr. Speaker.

Mrs. Valle moved adoption of the following amendments by Representatives Valle, Hawkins, Boldt, Conner, Kreidler, Burns, Nelson (Dick), Pruitt, Bond, Gruger, Lux and Hurley (George) to the committee amendment:

On page 3, line 37 following "facilities" insert ", and install roll call machine in Senate chambers"

On page 3, line 39 after "166,000" strike "0" and insert "150,000"

Representatives Valle and Bond spoke in favor of the amendments to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Valle and others to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendments were adopted by the following vote: Yeas, 51; nays, 33; not voting, 14.

Voting yea: Representatives Barnes, Bender, Berentson, Boldt, Bond, Burns, Charette, Charnley, Clayton, Deccio, Erickson, Fischer, Fuller, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knowles, Kreidler, Lee, Lux, Maxie, Moreau, Nelson D.,

North, Owen, Paris, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Smith, Tallor, Thompson, Valle, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Blair, Chandler, Clemente, Conner, Craswell, Dunlap, Enbody, Eng, Erak, Fancher, Flanagan, Gallagher, Gilleland, Hansen, Leckenby, Lysen, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, O'Brien, Pardini, Patterson, Salatino, Shinpoch, Struthers, Tilly, Vrooman, and Mr. Speaker.

Not voting: Representatives Adams, Bauer, Becker, Douthwaite, Ehlers, Fortson, Gaines, Haley, King, Knedlik, Oliver, Sommers, Warnke, Wilson.

Mr. Bond moved adoption of the following amendment to the committee amendment:  
On page 7, line 29 strike subsection (18) and renumber the remaining subsections consecutively.

Mr. Bond spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

Mr. Boldt moved adoption of the following amendments by Representatives Boldt and Oliver to the committee amendment:

On page 18, line 46 after "design" insert "and construction"  
On page 19, line 4 strike "785,000" and insert "4,100,000"

Representatives Boldt, Shinpoch and Oliver spoke in favor of the amendments to the committee amendment, and they were adopted.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna and Deccio to the committee amendment:

On page 13, after line 10 insert the following:

"(14) To renovate existing facilities at Eastern State Hospital for moderate secure treatment and a work/training residence.

	REAPPROPRIATION		APPROPRIATION
DSHS Constr Acct		0	\$810,000
Project Costs Through 6/30/77	Estimated Cost 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	810,000	1/78*

Mr. Hanna spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Boldt.

Mr. Boldt: "If your amendment passes, Representative Hanna, how does that interface with my amendment? It is on the same line and the same amount except for a couple of areas where you are a bigger spender than I. Will the intent of my amendment still hold if your amendment passes?"

Mr. Hanna: "This will be fine because as Representative Shinpoch said before we started the budget, he will be responsible for making all the right totals and getting everything in the right place. When we don't know ahead of time exactly what's going to pass and what isn't, there's no way to adjust these amendments as we go. This will not interfere with that extremely valuable project of yours."

The amendment to the committee amendment was adopted.

Mr. Smith moved adoption of the following amendment to the committee amendment:  
On page 29, after line 24 insert the following:

"(15) To construct a community center building including gymnasium, meeting areas, offices, and road access in Kitsap county to be known as the 'Kitsap Indian Center': PROVIDED, That \$480,000 of matching federal EDA funds are received.

REAPPROPRIATION      APPROPRIATION

General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess.

0

125,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	125,000	6/78*

Mr. Smith spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Enbody moved adoption of the following amendment by Representatives Enbody and Smith to the committee amendment:

On page 39, line 2 strike "0" and insert "375,000" and on line 7 strike "0" and insert "375,000" and on line 12 strike "17,060,000" and insert "16,310,000"

Representatives Enbody and Hughes spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Martinis asked Representative Shinpoch to yield to question, and he refused to yield.

Representatives Martinis and Schmittin spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Polk moved adoption of the following amendment to the committee amendment:

On page 61, beginning on line 25 strike all the material down to and including "6,300,000" on line 31 and insert:

"UW Bldg Acct		2,800,000	4,235,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
8,367,000	26,333,000	41,000,000	6,300,000*

Representatives Polk and Blair spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

Mr. Polk spoke again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to the committee amendment to Engrossed Substitute Senate Bill No. 3110, and the amendment was not adopted by the following vote: Yeas, 42; nays, 45; not voting, 11.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Burns, Clayton, Deccio, Douthwaite, Dunlap, Enbody, Eng, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, King, Lee, Martinis, May, Moreau, Nelson D., Newhouse, Oliver, Pardini, Paris, Patterson, Pearsall, Polk, Salatino, Sanders, Schmittin, Shinoda, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Boldt, Charette, Charnley, Clemente, Conner, Craswell, Erak, Erickson, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knedlik, Knowles, Kreidler, Maxie, McCormick, McKibbin, Nelson G. A., North, O'Brien, Owen, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Barr, Chandler, Ehlers, Fischer, Fortson, Haley, Leckenby, Lux, Lysen, Wilson.

Mr. Burns moved adoption of the following amendment to the committee amendment:

On page 61, beginning on line 25 strike all the material down to and including "6,300,000" on line 31 and insert:

"UW Bldg Acct		2,800,000	2,465,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
8,367,000	26,333,000	41,000,000	6,300,000*

Representatives Burns and Shinpoch spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Bond, the following amendment to the committee amendment was adopted:

On page 65, line 38 strike subsection (3) and insert:

(3) To construct and equip utility loop system and implement energy conservation improvements. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		700,000	165,000
Total Funds		700,000	165,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
158,000	865,000	1,023,000	865,000*

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.  
The Speaker called the House to order.

The House resumed consideration of Engrossed Substitute Senate Bill No. 3110 on second reading.

On motion of Mr. McKibbin, the following amendments by Representatives Shinpoch and Blair to the committee amendment were adopted:

On page 3, line 22 the number shall be "48,697,000"

On page 3, line 26 the numbers shall be:

"5,197,000      10,284,000      15,463,000"

On page 3, line 35 the numbers shall be:

"7,276,000      16,407,000      23,683,000"

On page 10, line 11 the number shall be "141,532,000"

On page 10, line 16 the numbers shall be:

"26,289,000      19,964,000      46,253,000"

On page 10, line 19 the numbers shall be:

"46,404,000      22,382,000      68,786,000"

On page 10, line 25 the number shall be "69,039,000"

On page 10, line 29 the numbers shall be:

"10,000,000      9,048,000      19,048,000"

On page 10, line 31 the numbers shall be:

"10,661,000      9,570,000      20,231,000"

On page 16, line 17 the numbers shall be:

"12,087,000      2,042,000      14,129,000"

On page 16, line 19 the numbers shall be:

"13,081,000      2,082,000      15,163,000"

On page 22, line 35 the number shall be "6,836,800"

On page 22, line 45 the numbers shall be:

"2,237,000      2,071,200      4,308,200"

On page 22, line 54 the numbers shall be:

"2,853,000      2,449,800      5,302,800"

On page 24, line 57 the number shall be "15,736,250"

On page 25, line 4 the numbers shall be:

"1,169,000      1,330,000      2,499,000"

On page 25, line 20 the numbers shall be:

"3,569,000      3,003,250      6,572,250"

On page 25, line 21 the numbers shall be:

"6,626,000      5,446,250      12,072,250"

On page 38, line 34 the number shall be "49,783,582"

On page 38, line 37 the numbers shall be:

"213,875      2,442,738      2,656,613"

On page 38, line 38 the numbers shall be:

"802,125      1,041,344      1,843,469"

On page 38, line 40 the numbers shall be:

"350,000      1,249,100      1,599,100"

On page 38, line 47 the numbers shall be:

"350,000      734,400      1,084,400"

On page 38, line 48 the numbers shall be:

"1,735,000      5,671,528      7,406,528"

On page 58, line 45 the numbers shall be:

"8,859,000      17,233,000      26,092,000"

On page 58, line 47 the numbers shall be:  
 \*17,859,000    17,233,000    35,092,000\*

On page 62, line 7 the numbers shall be:  
 \*2,592,000    2,371,000    4,963,000"

On page 62, line 11 the numbers shall be:  
 \*8,271,000    13,997,000    22,268,000"

On page 65, line 10 the number shall be "7,746,000"

On page 65, line 13 the numbers shall be:  
 \*825,000    1,621,000    2,446,000"

On page 65, line 15 the numbers shall be:  
 \*2,032,000    1,621,000    3,653,000"

On page 66, line 32 the number shall be "4,289,000"

On page 66, line 35 the numbers shall be:  
 \*907,000    665,000    1,572,000"

On page 66, between lines 35 and 36 add the following:  
 \*S&H Ed Constr Acct    115,000    2,000,000    2,115,000"

On page 66, line 36 the numbers shall be:  
 \*1,022,000    2,665,000    3,687,000"

On page 68, line 23 the number shall be "15,033,000"

On page 68, line 26 the numbers shall be:  
 \*1,852,000    165,000    2,017,000"

On page 68, line 28 the numbers shall be:  
 \*2,102,000    165,000    2,267,000"

On page 71, line 22 the number shall be "\$96,884,000"

On page 71, line 26 the numbers shall be:  
 \*3,390,000    0    3,390,000"

On page 71, line 28 the numbers shall be:  
 \*18,965,000    6,941,000    25,912,000"

On page 71, line 29 the numbers shall be:  
 \*23,862,000    6,947,000    30,809,000"

The Speaker stated the question before the House to be the committee amendment as amended.

The committee amendment as amended was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3110 as amended by the House was placed on final passage.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Charette.

Mr. Charette: "Representative Williams, I'd like to ask you a question concerning the amendments you had sponsored and that were accepted by the Appropriations Committee on page 58, line 48. The question is: The language of that proviso seems clear enough with respect to land purchases as far as the University of Washington is concerned, but it is not clear to me what you mean with respect to leases. What is the intent of this language considering the phrase 'a net addition to a group property holder' and the lease concept?"

Mr. Williams: "Representative Charette, the purpose of that language is simply to prevent the University from leasing property which under the other part of the language in that paragraph the University would be prohibited from purchasing outright. It is not the intention to affect lease or rental arrangements where the University is renting space in an office building or the space which it does not intend to buy or for which it has no permanent use."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3110 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 27; not voting, 12.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Flanagan, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, May, McCormick, McKibbin, Nelson D., North, O'Brien, Oliver, Owen, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, and Mr. Speaker.



Voting nay: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Fischer, Fuller, Gallagher, Gilleland, Greengo, Hurley M., Nelson G. A., Newhouse, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Zimmerman.

Not voting: Representatives Adams, Barnes, Dunlap, Fancher, Haley, Leckenby, Lee, Martinis, Maxie, Moreau, Wilson, Winsley.

Engrossed Substitute Senate Bill No. 3110 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. King, Engrossed Substitute Senate Bill No. 3110 was ordered transmitted immediately to the Senate.

#### EXPLANATION OF VOTE

In protest against the way the amendment to Engrossed Substitute Senate Bill No. 3110 was developed and passed, I voted "no" on final passage. The measure was available for scrutiny for only one day. It had amendments added in Appropriations Committee that upset long-standing systems of priorities. For example, the IAC priorities and the State Board of Community College's priorities were set aside, and Senate and House "pork-barrelling" took over. Many legislators went after their own special project, some winning, others losing, and the result was a budget not based on the best cool judgment possible.

I would favor delaying action on the capital budget until next year.

HAL ZIMMERMAN, 17th District.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 2445,  
SUBSTITUTE SENATE BILL NO. 2502,  
SENATE BILL NO. 2662,  
SENATE BILL NO. 2667,  
SENATE BILL NO. 3068.

ENGROSSED SENATE BILL NO. 3015, by Senators Talley, Goltz, Peterson, Murray and Rasmussen:

Providing for a liquefied natural gas hazards management study.

The bill was read the second time. (For previous action, see Journal, 85th Day ex. sess., June 3, 1977.)

Mr. Bond moved adoption of the following amendment by Representative Dunlap:

On page 2, line 16 after "available" strike the remainder of the sentence and insert ". The commission shall proceed with the remainder of the study only with the concurrence of the house and senate energy and utilities committees."

Mr. Bond spoke in favor of the amendment, and Mrs. Fortson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dunlap to Engrossed Senate Bill No. 3015, and the amendment was not adopted by the following vote: Yeas, 21; nays, 59; not voting, 18.

Voting yea: Representatives Bond, Chandler, Clayton, Conner, Craswell, Deccio, Eng, Flanagan, Fuller, Gilleland, Greengo, Oliver, Owen, Pardini, Patterson, Salatino, Sanders, Shinoda, Taller, Tilly, Whiteside.

Voting nay: Representatives Amen, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charney, Clemente, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, May, McCormick, McKibbin, Nelson D., North, Paris, Pearsall, Polk, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Barr, Blair, Dunlap, Fancher, Haley, Leckenby, Lee, Martinis, Maxie, Moreau, Nelson G. A., Newhouse, O'Brien, Schmitt, Struthers, Wilson.

Mr. Bond moved adoption of the following amendment:

On page 2, line 22 after "of" strike "seventy-six thousand five hundred" and insert "five thousand"

Mr. Bond spoke in favor of the amendment, and Representatives Kilbury and Lysen spoke against it.

The amendment was not adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3015 as amended by the House was placed on final passage.

Representatives Lysen and Valle spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3015 as amended by the House, and the bill passed the House by the following vote: Yeas, 63; nays, 23; not voting, 12.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gilleland, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Maxie, May, McCormick, McKibbin, Nelson D., North, O'Brien, Paris, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Clayton, Conner, Craswell, Dunlap, Flanagan, Gallagher, Greengo, Grimm, Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Sanders, Schmitt, Struthers, Tilly, Walk, Whiteside.

Not voting: Representatives Adams, Barr, Berentson, Blair, Fancher, Haley, Leckenby, Martinis, Moreau, Polk, Wilson, Winsley.

Engrossed Senate Bill No. 3015 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 SUBSTITUTE SENATE BILL NO. 2810, by Committee on Education (Originally sponsored by Senator McDermott):

Implementing law relating to existing educational service districts and the election of board members thereof.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2810 was placed on final passage.

Representatives Clemente, Bauer and Schmitt spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2810, and the bill passed the House by the following vote: Yeas, 79; nays, 14; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Pardini, Paris, Patterson, Polk, Pruitt, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Conner, Ehlers, Gilleland, Hanna, Hawkins, Knedlik, Owen, Pearsall, Salatino, Sanders, Tilly, Walk, Winsley.

Not voting: Representatives Adams, Haley, Leckenby, McKibbin, Wilson.

Engrossed Substitute Senate Bill No. 2810, 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. King, the House advanced to the eighth order of business.

On motion of Mr. Bender, HOUSE BILL NO. 1406 was rereferred from Committee on Rules to Committee on Appropriations.

## RESOLUTION

HOUSE RESOLUTION NO. 77-39, by Representatives Conner, Bauer, McKibbin, Heck, Thompson, Paris and Zimmerman:

WHEREAS, In the State of Washington there is represented the type of great diversity of geography, industry, agriculture, ethnic background, and cultural identity that has made the United States the greatest nation in the world; and

WHEREAS, The role of the men and women who fought to keep America the home of the brave and the land of the free, has always been one of honor and importance; and

WHEREAS, The City of Vancouver, Washington, resting on the shoulders of the powerful Columbia River, has long played an important role in the history of the United States, the Pacific Northwest, and the State of Washington; and

WHEREAS, The steady growth and contributions of Vancouver can continue only if her economic base continues to prosper; and

WHEREAS, Land is currently available in the City of Vancouver, within close proximity of main travel arteries, obviating the unnecessary purchase of additional land;

NOW, THEREFORE, The members of the House of Representatives respectively pray that the United States Veterans' Administration be directed to permit the City of Vancouver to retain its veterans' hospital facilities to serve the veterans of the State, saving them and the State the serious hardships which would result from the removal of the facilities from the State of Washington; and

BE IT RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Warren G. Magnuson and the Honorable Henry M. Jackson, Senators of the State of Washington, as well as to each member of Congress from the State of Washington, to the Administrator of Veterans' Affairs, and to the Superintendent of Barnes Veterans' Hospital.

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

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. Kilbury, the House adjourned until 11:00 a.m., Friday, June 10, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

**NINETY-SECOND DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wash., Friday, June 10, 1977.

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 Adams, Fuller, Haley, Hughes, Lee and Pardini, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Brask and Cheryl Brask. Prayer was offered by Reverend Lester G. Olson 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.

**MESSAGES FROM THE SENATE**

June 9, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2451, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 9, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2460, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 9, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2460,  
SENATE BILL NO. 2493,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 9, 1977

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3097,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

**SIGNED BY THE SPEAKER**

The Speaker announced he was signing:

HOUSE BILL NO. 280,  
HOUSE BILL NO. 448,  
HOUSE BILL NO. 584,  
HOUSE BILL NO. 1264,  
SENATE BILL NO. 2460,  
SENATE BILL NO. 2493.

## MESSAGE FROM THE SENATE

June 8, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 649, and has granted said committee the powers of Free Conference, and the report of said Conference Committee is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 649, implementing law relating to cosmetology, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Van Hollebeke, Buffington, Bausch; Representatives McCormick, Greengo, Salatino.

## MOTION

On motion of Mrs. McCormick, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, revising laws on ethics and disclosure, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Grant, Goltz, Bluechel; Representatives Nelson (Dick), Fuller, Heck.

## MOTION

On motion of Mr. Hawkins, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 9, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 656, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 6, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 656, mandating certain public agencies make surplus books, equipment, etc., available at depreciated cost to private schools, have had the same under consideration and we recommend that the Senate amendment be stricken and the following amendment be adopted:

On page 1, line 11 after "shall" strike all the material down to and including "HOWEVER," on line 14 and insert: ", prior to other disposal thereof, serve notice in writing to any private school in Washington state annually requesting such a notice, that the same is available for sale to private schools, at depreciated cost or fair market value, whichever is greater: PROVIDED,"

Signed by Senators Grant, Keefe, Murray; Representatives O'Brien, Heck, Whiteside.

## MOTION

On motion of Mr. Heck, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 656 as amended by Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 656 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Boldt, Fuller, Haley, Hughes, Leckenby, Lee, Pardini, Paris, Winsley.

Substitute House Bill No. 656 as amended by 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.

## MESSAGE FROM THE SENATE

June 8, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTED SENATE BILL NO. 2143, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 2, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTED SENATE BILL NO. 2143, providing for additional Superior Court Judges in Spokane, Pierce, Kitsap, Benton-Franklin, Cowlitz, and San Juan-Island judicial districts, have had the same under consideration, and we recommend that all the House amendments be stricken and the following amendments be substituted and adopted:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.061 are each amended to read as follows:

There shall be in the county of King ~~((twenty-nine))~~ thirty-four judges of the superior court; in the county of Spokane ~~((eight))~~ nine judges of the superior court; in the county of Pierce ~~((ten))~~ eleven judges of the superior court: PROVIDED, That the additional office herein created for the county of Pierce shall be effective January 1, 1978.

Sec. 2. Section 4, chapter 125, Laws of 1951 as last amended by section 1, chapter 79, Laws of 1975-'76 2nd 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 four judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap ~~((three))~~ four judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis two judges of the superior court.

Sec. 3. Section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 192, Laws of 1974 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))~~ four judges of the superior court; in the counties of Clallam and Jefferson jointly, two judges of the superior court; in the county of Snohomish 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 7, chapter 125, Laws of 1951 as last amended by section 3, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.065 are each amended to read as follows:

There shall be in the counties of Douglas and Grant jointly, two judges of the superior court; in the counties of Ferry and Okanogan jointly, one judge of the superior court; in the counties of Mason and Thurston jointly, four judges of the superior court; in the counties of Pacific and Wahkiakum jointly, one judge of the superior court; in the counties of Pend Oreille and Stevens jointly, one judge of the superior court; and in the counties of San Juan and Island jointly, ~~((one))~~ two judges of the superior court ~~((PROVIDED, That this act shall only take effect in the event the legislature shall appropriate funds for the 1973-75 biennium to carry out the purpose of this 1973 act))~~.

**NEW SECTION.** Sec. 5. To carry out the provisions of this 1977 amendatory act, there is appropriated from the general fund the sum of four hundred forty-six thousand dollars or such as may be necessary for the biennium ending June 30, 1979.

**NEW SECTION.** Sec. 6. This 1977 amendatory act shall take effect November 1, 1977."

In line 8 of the title, after "2.08.064;" strike "and"

In line 10 of the title, after "2.08.065" insert "; making an appropriation; and providing an effective date"

Signed by Senators Francis, Day, Sellar; Representatives Knowles, Boldt, Tilly.

#### MOTION

Mr. Knowles moved that the House adopt the report of the Free Conference Committee.

Representatives Knowles and Tilly spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Knowles, a number of people have asked this question, and I have never heard a clear answer. Why are some of the judges taking office November 1st and others on January 1st? Why the two months?"

Mr. Knowles: "I haven't appeared on a great many conference committees, but I certainly found out that conferees don't always get their own way. You will recall the bill as it passed through the House called for July 1st implementation. It was my position from the start and one that I would have liked to have held to, but you must adhere to the wishes of the majority of the conference committee."

Mr. Greengo: "I don't feel that's the kind of an answer I was looking for. I knew this was a compromise, but why were the conditions asked for?"

Mr. Knowles: "I don't think a great many arguments were presented, but I think if you'll examine the list of Senate conferees, those are the people you might direct your question to."

The motion was carried.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2143 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2143 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 79; nays, 12; not voting, 7.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Clayton, Dunlap, Eng, Lysen, Nelson G. A., Newhouse, Patterson, Polk, Zimmerman.

Not voting: Representatives Adams, Fuller, Haley, Hughes, Leckenby, Lee, Pardini.

Engrossed Substitute Senate Bill No. 2143 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.

The Speaker called on Mr. O'Brien to preside.

MESSAGE FROM THE SENATE

June 8, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

June 3, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, permitting OPP&FM to establish per diem rates, have had the same under consideration, and we recommend that the bill be amended as follows:

That the House amendments be adopted with the following amendments:

On page 3, line 7 of the House amendment, after "of" strike "either" and insert "consultation with and"

On page 3, line 11 of the House amendment, after "or" insert "consultation with and"

Signed by Senators Rasmussen, Newschwander, Bausch; Representatives Ehlers, Keller, Zimmerman.

MOTION

On motion of Mr. Ehlers, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2268 as amended by the Free Conference Committee.

Mr. Ehlers spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Pruitt.

Mr. Pruitt: "Does this mean that after these are set by OPP&FM that this is not brought back to the House for a vote, that this is established by them without a vote?"

Mr. Ehlers: "That is correct. The level does not take a separate action. It must, however, have a vote of the Legislative Budget Committee or the standing committees of Appropriations or Ways and Means of the House and Senate. This is not new ground, Representative Pruitt, we do the same thing in the area of unanticipated receipts. We do it in the area of transfer of major amounts of money within a budget, such as DSHS. This is not new—is not setting a precedent."

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Doesn't this indicate that we would have to vote as a Legislature when we are in session to approve after consultation with OPP&FM? We would, in a sense, be approving what they set?"

Mr. Ehlers: "We would have to vote in the Appropriations Committee in the House. It would not be submitted to the entire Legislature."

Mr. Zimmerman: "It doesn't say when we are not in session."

Mr. Ehlers: "When we are in session it will be the standing committees of Ways and Means in the Senate and Appropriations in the House. When we are not in session more than three days or during the interim, the LBC will make that decision."

Mr. Zimmerman: "In the adoption of this, really we will be increasing rather sizeably, funds that would have to be spent for per diem. Is that correct?"



Mr. Ehlers: "Not necessarily. What OPP&FM would do is set the rate. My understanding is that they were going to, in any case, recommend the fourteen cent level. They were going to tie this to the Internal Revenue Service which is currently fifteen cents, but they were not going to go up to that level. They were going to set a level of fourteen cents, but that's what they authorized up to. If they run short of funds, as they do now, they can spend thirteen cents, or twelve, or ten or nine, or whatever they want. This is a match they are proposing, not authorizing all agencies spend that kind of money."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2268 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 78; nays, 10; not voting, 10.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., North, O'Brien, Oliver, Owen, Patterson, Pearsall, Polk, Salatino, Sanders, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Eng, Fancher, Flanagan, Gilleland, Hawkins, Nelson D., Newhouse, Paris, Pruitt.

Not voting: Representatives Adams, Bond, Fuller, Haley, Hughes, Lee, Pardini, Schmitt, Valle, Winsley.

Engrossed Substitute Senate Bill No. 2268 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.

#### MESSAGE FROM THE SENATE

June 8, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2282, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2282, simplifying reporting requirements for campaign treasurers, have had the same under consideration, and we recommend that the House amendment not be adopted and the bill be amended to read as follows:

\*AN ACT Relating to state government; amending section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020; amending section 3, chapter 1, Laws of 1973 and RCW 42.17.030; amending section 6, chapter 1, Laws of 1973 as amended by section 4, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.060; amending section 16, chapter 1, Laws of 1973 as amended by section 9, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.160; amending section 17, chapter 1, Laws of 1973 as amended by section 10, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.170; amending section 19, chapter 1, Laws of 1973 as amended by section 12, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.190; repealing section 14, chapter 112, Laws of 1975-76 2nd ex. sess. and RCW 42.17.195; and providing an effective date.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 2, chapter 1, Laws of 1973 as amended by section 2, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.020 are each amended to read as follows:

(1) 'Agency' includes all state agencies and all local agencies. 'State agency' includes every state office, ~~(public official)~~ department, division, bureau, board, commission, or other state agency. 'Local agency' includes every county, city, ~~((city and county, school district))~~ town, municipal corporation, quasi municipal corporation, or special purpose district, ((political subdivision;)) or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) 'Ballot proposition' means any 'measure' as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision or other voting constituency from and after the time when such proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) 'Campaign depository' means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) 'Campaign treasurer' and 'deputy campaign treasurer' mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) 'Candidate' means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) 'Commercial advertiser' means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) 'Commission' means the agency established under RCW 42.17.350.

(8) 'Compensation' unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with RCW 42.17.240, as now or hereafter amended, the term 'compensation' shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while such official is engaged in the official business of such governmental entity.

(9) 'Continuing political committee' means a political committee which is an organization of continuing existence not established in anticipation of any particular election.

(10) 'Contribution' includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of 'part time' personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by such worker. 'Part time' services, for the purposes of this chapter, means services in addition to regular full time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

(11) 'Elected official' means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(12) 'Election' includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(13) 'Election campaign' means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(14) 'Expenditure' includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term 'expenditure' also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term 'expenditure' shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported, or payment of service charges against a political committee's campaign account.

(15) 'Final report' means the report described as a final report in RCW 42.17.080(2).

(16) 'Immediate family' includes the spouse, dependent children, and other dependent relatives, if living in the household.

(17) 'Legislation' means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the governor.

(18) 'Lobby' and 'lobbying' each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure acts, chapter 34.04 RCW and chapter 28B.19 RCW.

(19) 'Lobbyist' includes any person who shall lobby either in his own or another's behalf.

(20) 'Lobbyist's employer' means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

(21) 'Person' includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(22) 'Person in interest' means the person who is the subject of a record or any representative designated by said person, except that if such person be under a legal disability, the term 'person in interest' shall mean and include the parent or duly appointed legal representative.

(23) 'Political advertising' includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(24) 'Political committee' means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(25) 'Public office' means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(26) 'Public record' includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(27) 'Writing' means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

Sec. 2. Section 3, chapter 1, Laws of 1973 and RCW 42.17.030 are each amended to read as follows:

The provisions of this chapter relating to the financing of election campaigns shall apply in all election campaigns other than (a) for precinct committeeman; (b) for ((the president and vice president of the United States)) a federal elective office; and (c) for an office the constituency of which does not encompass a whole county and which contains less than five thousand registered voters as of the date of the most recent general election in such district.

Sec. 3. Section 6, chapter 1, Laws of 1973 as amended by section 4, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, 'Campaign Fund of .....' (name of candidate or political committee).

~~(2) ((All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by)) At the time each deposit is made, the campaign treasurer or deputy campaign treasurer shall prepare and file with the commission a statement containing the name of each person contributing the funds so deposited and the amount contributed by each person: PROVIDED, That contributions not exceeding ten dollars from any one person may be deposited without identifying the contributor. ((The statement shall be in triplicate, upon a form prescribed by the commission, one copy to be retained by the campaign depository for its records for the minimum term of three years, one copy to be filed by the campaign treasurer with the commission, and one)) A duplicate copy ((to)) of the statement shall be retained by the campaign treasurer for his records. In the event of deposits made by a deputy campaign treasurer, the ((third)) duplicate copy shall be forwarded to the campaign treasurer to be retained by him for his records. Each statement shall be certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit.~~

(3) Political committees which support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose: PROVIDED, That each such account shall bear the same name followed by an appropriate designation which accurately identifies its separate purpose: AND PROVIDED FURTHER, That transfers of funds which must be reported under RCW 42.17.090(1)(d), as now or hereafter amended, may not be made from more than one such account.

~~(4) Nothing in this section shall prohibit a candidate or political committee from investing funds on hand in a campaign depository in bonds, certificates, or savings accounts or other similar savings instruments in financial institutions other than the campaign depository: PROVIDED, That the commission is notified in writing of the initiation and the termination of the investment: PROVIDED FURTHER, That the principal of such investment when terminated together with all interest, dividends, and income derived from the investment are deposited in the campaign depository in the account from which the investment was made and properly reported to the commission prior to any further disposition or expenditure thereof.~~

(5) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total in excess of one percent of the total accumulated contributions received in the current calendar year or three hundred dollars (whichever is more), shall not be deposited, used, or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

Sec. 4. Section 16, chapter 1, Laws of 1973 as amended by section 9, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.160 are each amended to read as follows:

The following persons and activities shall be exempt from registration and reporting under RCW 42.17.150, 42.17.170, ~~((42.17.190,))~~ and 42.17.200:

(1) Persons who limit their lobbying activities to appearance before public sessions of committees of the legislature, or public hearings of state agencies(:);

(2) News or feature reporting activities and editorial comment by working members of the press, radio, or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, or television station(;;);

(3) Persons who lobby without compensation or other consideration for acting as a lobbyist: PROVIDED, Such person makes no expenditure for or on behalf of any member of the legislature or elected official or public officer or employee of the state of Washington in connection with such lobbying. Any person exempt under this subsection (3) may at his option register and report under this chapter(;;);

(4) Persons who restrict their lobbying activities to no more than four days or parts thereof during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed fifteen dollars: PROVIDED, That the commission shall promulgate regulations to require disclosure by persons exempt under this subsection or their employers or entities which sponsor or coordinate the lobbying activities of such persons if it determines that such regulations are necessary to prevent frustration of the purposes of this chapter. Any person exempt under this subsection (4) may at his option register and report under this chapter(;;);

(5) The governor(;;);

(6) The lieutenant governor(;;);

(7) Except as provided by RCW 42.17.190(1), members of the legislature(;;);

(8) Except as provided by RCW 42.17.190(1), persons employed by the legislature for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties(;;);

(9) ((Except as provided by RCW 42.17.190)) Elected ((state)) officials, and officers((state officers appointed by the governor subject to confirmation by the senate,)) and employees of any ((state)) agency reporting under RCW 42.17.190(4) as now or hereafter amended.

Sec. 5. Section 17, chapter 1, Laws of 1973 as amended by section 10, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.170 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17.150 and any person who lobbies shall file with the commission periodic reports of his activities signed by ((both)) the lobbyist ((and the lobbyist's employers)). The reports shall be made in the form and manner prescribed by the commission. They shall be due ((quarterly)) monthly and shall be filed within ((thirty)) fifteen days after the ((end)) last day of the calendar ((quarter)) month covered by the report. ((In addition to the quarterly reports, while the legislature is in session, any lobbyist who lobbies with respect to any legislation shall file interim weekly periodic reports for each week that the legislature is in session, which reports need be signed only by the lobbyist and which shall be filed on each Tuesday for the activities of the week ending on the preceding Saturday: PROVIDED, That it shall not be necessary to file any such interim weekly periodic reports for any week during which no expenditure reportable under subsection (2) hereof was made by the reporting person.))

(2) Each such ((quarterly and weekly)) monthly periodic report shall contain:

(a) The totals of all expenditures made or incurred by such lobbyist or on behalf of such lobbyist by the lobbyist's employer during the period covered by the report, which totals shall be segregated according to financial category, including food and refreshments; living accommodations; advertising; travel; telephone; contributions; office expenses, including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount thereof, paid or incurred for lobbying activities; and other expenses or services: PROVIDED HOWEVER, That unreimbursed personal living and travel expenses of a lobbyist not incurred directly or indirectly for any lobbying purpose need not be reported ((AND PROVIDED FURTHER, That the interim weekly reports of legislative lobbyists for the legislative session need show only the expenditures for food and refreshments; living accommodations; travel; contributions; and such other categories as the commission shall prescribe by rule)). Each individual expenditure of more than ((fifteen)) twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in or of such entertainment including any portion thereof attributable to the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of such expenditures in each category incurred on behalf of each of his employers.

(c) An itemized listing of each such expenditure in the nature of a contribution of money or of tangible or intangible personal property to any ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the ((legislator)) candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or rulemaking; the proposed rules, standards, rates, or other legislative enactments under chapter 34.04 RCW and chapter 28B.19 RCW (the state administrative procedure acts) and the state agency considering the same; and the number of each senate or house bill, resolution, or other legislative activity which the lobbyist has been engaged in supporting or opposing during the reporting period: PROVIDED, That in the case of appropriations bills the lobbyist shall enumerate the specific section or sections which he supported or opposed.

Sec. 6. Section 19, chapter 1, Laws of 1973 as amended by section 12, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.190 are each amended to read as follows:

(1) Every legislator and every committee of the legislature shall file with the commission quarterly reports listing the names, addresses, and salaries of all persons employed by the person or committee making

the filing for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties of such legislator or committee during the preceding quarter. The reports shall be made in the form and the manner prescribed by the commission and shall be filed between the first and tenth days of each calendar quarter: PROVIDED, That the information required by this subsection may be supplied, insofar as it is available, by the chief clerk of the house of representatives or by the secretary of the senate on a form prepared by the commission.

(2) Unless authorized by subsection (3) of this section or otherwise expressly authorized by law, no ((state)) public funds shall be used directly or indirectly for lobbying: PROVIDED, This shall not prevent ((state)) officers or employees of an agency from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection shall not apply to the legislative branch.

(3) Any agency, not otherwise expressly authorized by law, may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency: PROVIDED, That public funds shall not be expended as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. For the purposes of this subsection, the term 'gift' shall mean a voluntary transfer of any thing of value without consideration of equal or greater value, but shall not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business: PROVIDED FURTHER, That this section shall not permit the printing of a state publication which has been otherwise prohibited by law.

(4) Each state agency which expends state funds for lobbying pursuant to an express authorization by law and each state agency, county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district which expends public funds for lobbying pursuant to the authorization contained in subsection (3) of this section or whose officers or employees communicate on legislation directly affecting the agency to members of the legislature on request of any member or communicate to the legislature requests for legislation shall file with the commission quarterly statements providing the following information for the quarter just completed:

- (a) The name of the agency filing the statement;
- (b) The name, title, and job description and salary of each elected official, officer, or employee engaged in such ((legislative activity)) activities, a general description of the nature of ((his legislative)) the activities, and the proportionate amount of ((his)) time spent on ((such)) the activities;
- (c) An itemized listing of any expenditures incurred by the agency for such activities.

The statements shall be in the form and the manner prescribed by the commission and shall be filed within thirty days after the end of the quarter covered by the report.

((+)) (5) The provisions of this section shall not relieve any ((state)) elected official or officer or ((any)) employee of ((a-state)) an agency from complying with other provisions of this chapter, if such elected official, officer, or employee is not otherwise exempted.

NEW SECTION. Sec. 7. Section 14, chapter 112, Laws of 1975-76 2nd ex. sess. and RCW 42.17.195 are each repealed.

NEW SECTION. Sec. 8. If any provision of this 1977 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.

NEW SECTION. Sec. 9. This 1977 amendatory act shall take effect on January 1, 1978."

Signed by Senators Grant, Pullen, Beck; Representatives Hawkins, Hughes, Zimmerman.

#### MOTION

On motion of Mr. Hawkins, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2282 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2282 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Embody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers,

Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Fuller, Haley, Hughes, Lee, Pardini, Schmitt, Valle.

Engrossed Senate Bill No. 2282 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.

#### INTRODUCTION AND FIRST READING

SECOND SUBSTITUTE SENATE BILL NO. 3097, by Committee on Ways and Means (Originally sponsored by Senator Benitz):

Authorizing bonds for building and equipping of state fire service training center for commission for vocational education.

To Committee on Appropriations

#### REPORT OF STANDING COMMITTEE

June 9, 1977

HOUSE BILL NO. 564, Prime Sponsor: Representative Ehlers, abolishing certain state agencies. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Chairman; Walk, Vice Chairman; Taller, Ranking Minority Member; Burns, Erak, Nelson (Gary), Salatino, Sanders, Sommers, Struthers.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and House Bill No. 564 was advanced to second reading and read the second time in full.

On motion of Mr. Ehlers, Substitute House Bill No. 564 was substituted for House Bill No. 564, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 564 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 564 was placed on final passage.

Representatives Ehlers, Taller and Conner spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Because of the considerable amount of controversy and publicity with regard to this bill, is it subsection (13) of section 15 that was primarily what the Governor wanted in this measure? That's the section that states that the Governor can submit to the committee a list and therefore tell what she wants to do in terms of reorganization. Would this not open up her whole subject of reorganization?"

Mr. Ehlers: "I'm not sure I understand your question."

Mr. Zimmerman: "Is that the section the Governor is most interested in getting? Obviously, there was something she wanted in the bill."

Mr. Ehlers: "There were several new sections added. I think that's one of her interests. I think along with the fact we agreed to include in this bill a separate section for each board, commission or agency to be terminated."

Mr. Zimmerman: "Subsection (13) does open up a broad door of reorganization, does it not?"

Mr. Ehlers: "I would think generally it would, however, all it is, is a list for the select committee to look at. They don't have to accept it, any or all of it, if they don't want to."

## POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Patterson.

Mr. Patterson: "I am in total support of the concept of this legislation. I do have one concern, and that is with section 9. The main thrust of sunset legislation is to reduce state government. I think you have to look in the area of reduction of personnel. Does this section mean that even though you eliminate an agency, you would be required to transfer the personnel under the classified system of civil service, to another agency of state government, thereby really not reducing, as we would hope, the financial concerns that you have originally in this legislation? I'm wondering, if you have ten years of service, do you have the right to then transfer and bump other people in the system? Do you create new positions to accommodate them?"

Mr. Ehlers: "To answer the first part of your question, yes, they would have the opportunity to transfer. They would be transferred and there would be some attrition. That was part of the shift of employees that would be handled by natural attrition within the agencies being abolished, as well as the agencies which they were to be transferred to. I think you have to recognize, Representative Patterson, that the concept—and the Governor, incidentally did express a concern about the same section, however she was satisfied with our explanation to that—yes, one of the concerns of sunset is saving money. That's the major concern we've discussed, but in essence, if employees of an agency, board or commission have a vested interest in the continuation of that agency, we will never see the abolishment, in my view, of any major board, commission or agency. It would be very difficult to see that. If the employees of that agency, board or commission see that their job is not in jeopardy, they will not be in a dissent posture in order to protect that agency. There would be cost savings because of the fact that the attrition of the employees will save money, and secondly, equipment, paper work, all the paraphernalia that goes with continuation of an agency will be gone."

Mr. Patterson: "In other words, we really couldn't terminate the services of a state employee under the civil service system?"

Mr. Ehlers: "That's true."

Mr. Patterson: "Could the Personnel Board change that under the provisions of this section? Could they change that as a basic policy of the civil service act?"

Mr. Ehlers: "I don't believe the board could. I think it would take legislation, but I'm not sure on that."

Mr. Leckenby spoke against passage of the bill, but stated that he would vote for it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 564, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Fischer, Fuller, Haley, Hughes, Lee, Lysen, Pardini.

Substitute House Bill No. 564, 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. Bender, Substitute House Bill No. 564 was ordered transmitted immediately to the Senate.

## REPORT OF STANDING COMMITTEE

June 10, 1977

HOUSE BILL NO. 1188, Prime Sponsor: Representative Martinis, allowing department of fisheries to deposit revenues into funds other than the general fund when so provided by law. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Natural Resources.

## SENATE AMENDMENTS TO HOUSE BILL

June 9, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 217 with the following amendments:

On page 1, line 18 strike "twelve" and insert "sixteen"

On page 1, line 20 strike "thirteen" and insert "seventeen"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Douthwaite, the House concurred in the Senate amendments to Substitute House Bill No. 217.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 217 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 217 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Fuller, Gruger, Haley, Hughes, Lee, Pardini, Pearsall.

Substitute House Bill No. 217 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

June 8, 1977

Mr. Speaker:

The Senate has passed ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 371 with the following amendments:

On page 2, beginning on line 13 strike everything after the enacting clause and insert the following:

## "PART A

NEW SECTION. Section 1. This chapter shall be known as the 'basic juvenile court act'.

NEW SECTION. Sec. 2. For purposes of this chapter:

(1) 'Juvenile', 'youth', and 'child' shall mean any individual who is under the chronological age of eighteen years;

(2) 'Juvenile offender' and 'juvenile offense' shall have the meaning ascribed in sections 55 through 78 of this 1977 amendatory act; and

(3) 'Court' when used without further qualification shall mean the juvenile court.

NEW SECTION. Sec. 3. (1) The juvenile court shall be a division of the superior court. In judicial districts having more than one judge of the superior court, the judges of such court shall annually, in the month of January, assign one or more of their number to the juvenile court division. In any judicial district having a court commissioner, the court commissioner shall have the power, authority, and jurisdiction, concurrent with a juvenile court judge, to hear all cases under this chapter and to enter judgment and make orders with the same power, force, and effect as any judge of the juvenile court, subject to motion or demand



by any party within ten days from the entry of the order or judgment by the court commissioner as provided in RCW 2.24.050.

(2) Cases in the juvenile court shall be tried without a jury.

Sec. 4. Section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 65, Laws of 1937 and RCW 13.04.030 are each amended to read as follows:

The ((superior)) juvenile courts in the several counties of this state, shall have exclusive original jurisdiction ((in all cases coming within the terms of this chapter)) over all proceedings:

(1) Under the interstate compact on placement of children as provided in chapter 26.34 RCW;

(2) Relating to children alleged or found to be dependent as provided in chapter 26.44 RCW and in sections 31 through 45 of this 1977 amendatory act;

(3) Relating to the termination of a parent and child relationship as provided in sections 46 through 49 of this 1977 amendatory act;

(4) To approve or disapprove alternative residential placement as provided in sections 24 through 27 of this 1977 amendatory act;

(5) Relating to children alleged to be or found to be in need of involuntary civil commitment as provided in chapter 72.23 RCW;

(6) Relating to youth alleged or found to be a juvenile offender as provided in sections 56 through 77 of this 1977 amendatory act, unless:

(a) The juvenile court transfers jurisdiction to adult criminal court; or

(b) The period of limitations of actions applicable to adult prosecution for the offense alleged in the petition has expired; or

(c) The alleged offense involves a violation of the traffic laws, which is not a misdemeanor, by juveniles over fifteen years of age; and

(7) Under the interstate compact on juveniles as provided in chapter 13.24 RCW.

**NEW SECTION.** Sec. 5. Any person aggrieved by a final order of the juvenile court may appeal said order as provided by this section. All appeals in matters other than those related to commission of a juvenile offense shall be taken in the same manner as in other civil cases. Except as otherwise provided in this title, all appeals in matters related to the commission of a juvenile offense shall be taken in the same manner as criminal cases and the right to collateral relief shall be the same as in criminal cases. The order of the juvenile court shall stand pending the disposition of the appeal: PROVIDED, That the juvenile court or the appellate court may upon application stay said order.

If the final order from which an appeal is taken grants the custody of the child to, or withholds it from, any of the parties, or if the child is committed as provided under this chapter, the appeal shall be given priority in hearing.

**NEW SECTION.** Sec. 6. Juvenile court, probation counselor, and detention services shall be administered by the superior court, except that by local court rule and agreement with the legislative authority of the county they may be administered by the legislative authority of the county in the manner prescribed by RCW 13.20.060: PROVIDED, That in any class AA county such services shall be administered in accordance with chapter 13.20 RCW. The administrative body shall appoint an administrator of juvenile court, probation counselor, and detention services who shall be responsible for day-to-day administration of such services, and who may also serve in the capacity of a probation counselor.

**NEW SECTION.** Sec. 7. The administrator shall after consultation with the state planning agency established under Title II of the federal juvenile justice and delinquency prevention act of 1974 (P.L. No. 93-415; 42 U.S.C. 5611 et seq.) following a public hearing, and after approval of the body responsible for administering the juvenile court, and no later than one hundred eighty days after the effective date of this 1977 amendatory act, adopt standards for the regulation and government of detention facilities for juveniles. Such standards may be revised from time to time, according to the procedure outlined in this section. Each detention facility shall keep a copy of such standards available for inspection at all times. Such standards shall be reviewed and the detention facilities shall be inspected annually by the administrator.

Sec. 8. Section 3, chapter 160, Laws of 1913 as last amended by section 9, chapter 331, Laws of 1959 and RCW 13.04.040 are each amended to read as follows:

The ((court)) administrator shall, in any county or judicial district in the state, appoint or designate one or more persons of good character to serve as probation counselors during the pleasure of the ((court)) administrator. ((In case a probation counselor shall be appointed by any court, the clerk of the court, if practicable, shall notify him in advance when a child is to be brought before said court.)) The probation counselor shall ((make such investigations as may be required by the court. The probation counselor shall inquire into the antecedents, character, family history, environments and cause of dependency or delinquency of every alleged dependent or delinquent child brought before the juvenile court and shall make his report in writing to the judge thereof. He shall be present in order to represent the interests of the child when the case is heard; he shall furnish the court such information and assistance as it may require, and shall take charge of the child before and after the trial as may be directed by the court):

(1) Receive and examine referrals to the juvenile court for the purpose of considering the filing of a petition pursuant to sections 24, 32, 46, and 61 of this 1977 amendatory act;

(2) Make recommendations to the court regarding the need for continued detention or shelter care of a child unless otherwise provided in this title;

(3) Arrange and supervise diversion agreements as provided in section 62 of this 1977 amendatory act and ensure that the requirements of such agreements are met except as otherwise provided in this title;

(4) Prepare predisposition studies as required in sections 40 and 67 of this 1977 amendatory act and be present at the disposition hearing to respond to questions regarding the predisposition study: PROVIDED, That such duties shall be performed by the department of social and health services for cases relating to dependency or to the termination of a parent and child relationship in any class A or AA county; and

(5) Supervise court orders of disposition to ensure that all requirements of the order are met.

All probation counselors shall possess all the powers conferred upon sheriffs and police officers to serve process and make arrests of juveniles under their supervision for the violation of any state law or county or city ordinance (~~relative to the care, custody, and control of delinquent and dependent children~~).

The ~~(court)~~ administrator may, in any county or judicial district in the state, appoint one or more persons who shall have charge of detention rooms or house of detention.

The probation counselors and persons appointed to have charge of detention facilities shall each receive compensation which shall be fixed by the board of county commissioners, or ~~(fin)~~ in cases of joint counties, judicial districts of more than one county, or joint judicial districts such sums as shall be agreed upon by the boards of county commissioners of the counties affected, and such persons shall be paid as other county officers are paid.

The administrator is hereby authorized, and to the extent possible is encouraged to, contract with private agencies existing within the community for the provision of services to youthful offenders and youth who have entered into diversion agreements pursuant to section 62 of this 1977 amendatory act.

**NEW SECTION.** Sec. 9. It shall be the duty of the prosecuting attorney or the prosecuting attorney's deputy to present the evidence supporting any petition where the facts are contested, except in petitions to approve or disapprove alternative residential placement: PROVIDED, That it shall be the duty of the attorney general or the attorney general's assistant to present the evidence supporting any petition alleging dependency, or any petition seeking the termination of a parent and child relationship, which is filed in a class A or AA county, where the facts are contested: PROVIDED FURTHER, That the responsibility of the prosecuting attorney for proceedings relating to the commission of a juvenile offense shall be as provided in sections 61 and 63 of this 1977 amendatory act.

**NEW SECTION.** Sec. 10. (1) The following records shall be confidential and shall be released only pursuant to this chapter:

(a) The official juvenile court file: PROVIDED, That the official juvenile court file shall be open to public inspection in cases involving the commission of a juvenile offense;

(b) The social file;

(c) The records of public agencies, private agencies, or persons with respect to children committed to their custody; and

(d) All records pertaining to and in any way identifying juveniles subject to dependency or juvenile offender proceedings, such records having been produced or retained by any juvenile justice or care agency which shall include the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, or the department of social and health services and its contracting agencies.

(2) The official juvenile court file for a proceeding shall include the petition or information, motions, memorandums, briefs, findings of the court, court orders, and other reports and papers filed in juvenile court.

(3) The social file is the records and reports of the probation counselor and shall be filed separate from the official juvenile court file.

(4) Each petition or information filed with the court shall include only one child and each petition or information shall be filed under a separate docket number.

**NEW SECTION.** Sec. 11. (1) Where a specific provision of this chapter controls the use of information, then that specific provision governs, and in all other cases release and use of information will be governed by the provisions set forth in this section and section 12 of this 1977 amendatory act.

(2) It shall be the duty of any juvenile justice or care agency providing information to insure the accuracy of that information. To this end:

(a) An agency shall never knowingly record or provide inaccurate information;

(b) An agency shall take steps to insure the security of its records and to prevent tampering therewith; and

(c) An agency shall not supply any record which is not complete, i.e., does not contain information as to all action taken to date with respect to any incident, even if that action has been taken by another agency.

(3) Records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by such other participant or when such other participant is assigned the responsibility of supervising the juvenile. This section shall permit, in accordance with the laws on discovery of evidence applicable in adult criminal cases, counsel for the prosecution and defense and an accused juvenile full access to the records of other juveniles alleged to have committed offenses connected with the offense with which the accused juvenile is charged, and any juvenile witnesses involved in the case. The juvenile court and prosecutor may set up and maintain a central record keeping system which may receive information on all alleged juvenile offenders whether or not their cases are currently pending before the court, except as limited by subsection (2) of this section. The central record keeping system may be computerized and shall have adequate safeguards to protect against improper disclosure of information.

(4) Upon request of a juvenile or such juvenile's parents or attorney, information concerning such juvenile shall be released to the juvenile, or to such juvenile's parents or attorney, for purposes of checking its accuracy.

(5) Information which could not reasonably be expected to identify the youth or the youth's family may be released to the public.

(6) Upon request of the victim of the crime or the victim's immediate family, the identity of an alleged or proven juvenile offender and his or her parent, guardian, or custodian and the circumstances of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.

(7) Information which is necessary to the preparation of an accused juvenile's defense or to protect a juvenile's interests in a dependency proceeding shall be released to such juvenile or to such juvenile's parents or attorney.

(8) Information which has not been destroyed pursuant to section 12 of this 1977 amendatory act shall be released to participants in the adult criminal justice and corrections system including prosecutors, defendants, defense counsel, and probation or parole officers, concerning the juvenile record of an adult criminal defendant or witness in an adult criminal proceeding after a charge has actually been filed in court.

(9) Nothing in this chapter shall be construed as preventing a crime victim or a member of the victim's family from divulging the identity of the juvenile offender or the juvenile's family where necessary in a civil proceeding.

**NEW SECTION.** Sec. 12. (1) Any person who believes that he or she may be the subject of any juvenile justice or care record keeping shall have the right, in person or through a parent or attorney, to inquire as to whether a record exists and to be shown such record if it exists. If that record is properly in the possession of the agency maintaining it, the subject shall have the right to challenge the information therein and to have it corrected if it is in error. If that record is not properly in the possession of the agency maintaining it, the subject shall have the right to have it destroyed. Any agency maintaining such records shall promulgate administrative procedures to facilitate such inquiries, and the subject of any record shall have the right to enforce the provisions of this section by equitable or legal proceedings in the superior court.

(2) On motion on the part of a person who has been the subject of an information alleging a juvenile offense or the subject of a dependency petition, or on the court's own motion, the court shall vacate its order and findings, if any, and order the sealing of the legal and social files and records of the court and of any other agency in the case if it finds that:

(a) Two years have elapsed since the final discharge of the person from legal custody or since the entry of any other court order not involving custody; and

(b) The person has not entered into a diversion agreement nor has been found to have committed a crime prior to the filing of the motion, and no proceeding is pending seeking such conviction or adjudication. The motion and the order may include the files and records specified in subsections (3) and (4) of this section.

(3) Reasonable notice of the motion shall be given to:

(a) The prosecutor;

(b) Defense counsel of record;

(c) The department of social and health services, if custody of the child has ever been transferred to the department; and

(d) The law enforcement officers, department, and central depository having custody of the files and records if the files and records specified in section 11 of this 1977 amendatory act are included in the motion.

(4) Upon the entry of the order, the proceedings in the case shall be treated as if they never occurred, and the court and law enforcement officers and departments shall reply and the subject person may reply to any inquiry that juvenile records are confidential.

Inspection of the files and records included in the order may thereafter be permitted by the court only upon motion of the person who is the subject of such records or the prosecuting attorney, and only by those persons named in such motion. However, the court in its discretion may by special order in an individual case permit inspection by or release of information in the records to any clinic, hospital, or agency which has the subject person under care or treatment, or individuals or agencies engaged in research.

(5) Any adjudication of the commission of a crime subsequent to sealing shall have the effect of nullifying the sealing order.

(6) A person who has been the subject of an information alleging a juvenile offense and has met the conditions stipulated in subsection (2)(b) of this section may, five years after reaching the age of majority, file a motion requesting the destruction of all records pertaining to his or her case. If the court grants the motion, copies of the order shall be sent to all offices or agencies that are repositories of such records and all such offices and agencies shall comply with the order.

(7) A person who has been the subject of an information alleging a juvenile offense shall be notified of his or her rights under this section at the time of his or her final discharge.

**NEW SECTION.** Sec. 13. Nothing in this chapter shall be construed to prevent the expungement of any juvenile record ordered expunged by a court to preserve the due process rights of its subject.

**NEW SECTION.** Sec. 14. Notwithstanding any other provision of this chapter, whenever a child is arrested for a violation of any law, including municipal ordinances, regulating the operation of vehicles on the public highways, a copy of the traffic citation and a record of the action taken by the juvenile court shall be forwarded by the court to the director of licenses in the same manner as provided in RCW 46.20.280.

**NEW SECTION.** Sec. 15. Sections 1, 2, 3, 5, 6, 7, and 9 through 14 of this 1977 amendatory act shall be added to chapter 13.04 RCW.

#### PART B

**NEW SECTION.** Sec. 16. This chapter shall be known as the 'Runaway Youth Act'.

**NEW SECTION.** Sec. 17. A law enforcement officer may take a juvenile into limited custody subject to the limitations of this chapter if (1) a law enforcement agency has been contacted by the parent, guardian, or custodian of the child that their child is absent from home without their consent, or (2) if the officer reasonably believes that a juvenile is in circumstances which constitute a substantial and immediate danger to the juvenile's physical safety. In no event shall limited custody extend more than twelve hours from the time of the juvenile's initial contact with the law enforcement officer.

**NEW SECTION.** Sec. 18. (1) An officer taking a juvenile into limited custody shall inform the juvenile of the reason for such custody and shall, if the juvenile consents, transport the juvenile to his or her home or to a relative or other responsible person, or arrange for such transportation.

(2) The officer so releasing a juvenile from limited custody shall inform the parent, custodian, relative, or other responsible person of the reason for taking the juvenile into limited custody and shall, if he or she believes further services may be needed, inform the juvenile and the person to whom the juvenile is released of the nature and location of appropriate services and shall offer to assist in establishing contact between the family and the service agency.

(3) Where a parent or custodian cannot be reached and release is made to a relative or other responsible person, the officer shall notify the parent or custodian as soon as practicable of the fact and circumstances of the limited custody, the release of the juvenile, and any information given respecting further services.

(4) Where a juvenile is released from limited custody to a person other than a parent or custodian, such person shall reasonably establish that he or she is willing and able to be responsible for the safety of the juvenile.

(5) If the law enforcement officer is unable by all reasonable efforts to contact a parent, custodian, relative, or other responsible person; or if the person contacted lives at an unreasonable distance; or if the juvenile refuses to be taken to his or her home or other appropriate residence; or if the officer is otherwise unable despite all reasonable efforts to make arrangements for the safe release of the juvenile taken into limited custody, the law enforcement officer shall take the juvenile to a designated temporary nonsecure residential facility licensed by the department of social and health services and established pursuant to chapter 74.13 RCW.

**NEW SECTION.** Sec. 19. A law enforcement officer acting reasonably and in good faith pursuant to this chapter in releasing a juvenile to a person other than a parent or custodian of such juvenile shall be immune from civil or criminal liability for such action.

**NEW SECTION.** Sec. 20. Sections 16 through 19 of this 1977 amendatory act shall constitute a new chapter in Title 13 RCW.

Sec. 21. Section 3, chapter 30, Laws of 1965 as last amended by section 3, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 74.13.020 are each amended to read as follows:

As used in Title 74 RCW, child welfare services shall be defined as public social services including adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(1) Preventing or remedying, or assisting in the solution of problems which may result in the neglect, abuse, exploitation, or delinquency of children;

(2) Protecting and caring for homeless, dependent, ~~((incorrigible as defined in RCW 13.04.010(7)))~~ or neglected children;

(3) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children with services designed to resolve such conflicts;

(4) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

~~((4))~~ (5) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

As used in this chapter, child means a person less than eighteen years of age.

Sec. 22. Section 17, chapter 172, Laws of 1967 as last amended by section 4, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 74.13.031 are each amended to read as follows:

The department shall have the duty to provide child welfare services as defined in RCW 74.13.020, and shall:

(1) Develop, administer, and supervise a plan that establishes, extends aid to, and strengthens services for the protection and care of homeless, dependent children, ~~((incorrigible children as defined by RCW 13.04.010(7);))~~ neglected children, or ~~((children in danger of becoming delinquent))~~ juvenile offenders.

(2) Investigate complaints of neglect, abuse, or abandonment of children by parents, guardians, custodians, or persons serving in loco parentis, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, guardians, custodians or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. If the investigation reveals that a crime may have been committed, notify the appropriate law enforcement agency.

(3) Offer, on a voluntary basis, crisis intervention to families who are in conflict.

Crisis intervention services (a) shall consist of an interview or series of interviews with the child or his or her family, as needed, conducted within a brief period of time by qualified professional persons, and designed to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or the family; and (b) may include, but are not limited to, the provision of or referral

to services for suicide prevention, psychiatric or other medical care, or psychological, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family.

Nothing in this section shall prohibit an officer of the child welfare services from referring any child who, as a result of a mental or emotional disorder, or intoxication by alcohol or other drugs, is suicidal, seriously assaultive or seriously destructive towards others, or otherwise similarly evidences an immediate need for emergency medical evaluation and possible care, to a community mental health center pursuant to RCW 72.23.070.

(4) Have authority to accept for temporary residential care in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW a child who has been taken into limited custody pursuant to section 17 of this 1977 amendatory act: PROVIDED, That a juvenile shall in no event remain in temporary residential care for a period longer than seventy-two hours from the time of the juvenile's initial contact with the law enforcement officer except as otherwise provided in this section. Upon accepting the child, the staff of the facility shall notify the child's parents or custodian of his or her whereabouts, physical and emotional condition, and the circumstances surrounding his or her placement and shall undertake to make arrangements for the child's return home.

In every case crisis intervention services shall be provided as needed and the staff of the temporary facility shall seek to effect the child's return home or alternative living arrangement agreeable to the child and the parent or custodian as soon as practicable.

(a) If, after his or her admission to a temporary residential facility, a child who is absent from home without permission and his or her parent or custodian agrees to the child's return home, the staff of the facility shall arrange transportation for the juvenile, as soon as practicable, to the county of residence of the parent or custodian, at the latter's expense to the extent of his or her ability to pay.

(b) If the child refuses to return home and if no other living arrangements agreeable to the child and the parent or custodian can be made, the staff of the facility shall arrange transportation for the child to a temporary nonsecure residential facility in the county of residence of the parent or custodian, at the expense of the latter to the extent of his or her ability to pay. If there is no such facility in the county of that residence, the nearest such facility to that residence shall be used.

(c) If a child's legal residence is outside the state of Washington and such child refuses to return home, the provisions of RCW 13.24.010 shall apply.

(d) If the parent or custodian refuses to permit the child to return home, and no other living arrangement agreeable to the child and the parent or custodian can be made, staff of the child welfare services section shall notify the juvenile court to appoint legal counsel for the child and shall file a dependency petition in the juvenile court in the jurisdiction of the residence of the parent or custodian.

(e) If a child and his or her parent or guardian agree to an arrangement for alternative residential placement, such placement may continue as long as there is agreement. During any alternative residential placement, there shall be provided to the child and to his or her family such services as may be appropriate to the particular case, to the end that the child may be reunited with the family as soon as practicable.

(f) If such child and his or her parent or custodian cannot agree to an arrangement for alternative residential placement in the first instance, or cannot agree to the continuation of such placement, the child or his or her parent or custodian may file with the juvenile court a petition to approve alternative residential placement pursuant to section 24 of this 1977 amendatory act. The child shall remain in the placement where he or she is located at the time a petition to approve alternative residential placement is filed until a placement decision is made pursuant to section 26 of this 1977 amendatory act.

(g) In no event shall alternative residential placement for a child in conflict with his or her family be arranged in a secure detention facility or in a secure institution except as provided in this subsection and section 42 of this 1977 amendatory act. A child in conflict with his or her parents may be detained in a secure detention facility operated by a county for a maximum of seventy-two hours if:

(i) The staff of the child welfare services section find that the child taken into limited custody has previously been placed in alternative residential care and has run away from such placement and that it is likely that the child will run away from another and different residential placement; or

(ii) The child refuses to return home and refuses to be placed in alternative residential care.

During such detention, efforts shall be continued to the end that the child may be returned home or other living arrangements agreeable to the child and his or her parent, guardian, or custodian are made. If an agreement concerning living arrangements for the child cannot be reached a petition shall be filed within forty-eight hours after initial detention of the child, pursuant to subsection (4)(f) of this section. The hearing on the petition shall be held within seventy-two hours, excluding Sundays and holidays, of the initial detention of the child. If the hearing on the petition is not held within these time limits the child shall be released from detention.

(5) Cooperate with other public and voluntary agencies and organizations in the development and coordination of programs and activities in behalf of children including but not limited to contracting with private and public entities to provide basic education and vocational training and crisis intervention services.

((4)) (6) Have authority to accept custody of children from parents, guardians, and/or juvenile courts, to provide child welfare services including placement for adoption, and to provide for the physical care of such children and to make payment of maintenance costs if needed. ((A child in need of detention; whether alleged to be dependent or delinquent; shall, prior to findings and disposition by the court pursuant to RCW 13.04.095 as now or hereafter amended, be the responsibility of and provided for by the juvenile court.))

((5)) (7) Have authority to purchase care for children and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.

((6)) (8) Establish a child welfare and day care advisory committee who shall act as an advisory committee to the state advisory committee and to the secretary in the development of policy on all matters pertaining to child welfare, day care, licensing of child care agencies, and services related thereto.

(9) Notwithstanding any other provision of sections 16 through 19, 21, and 22 of this 1977 amendatory act, all services to be provided by the department of social and health services under subsections (3) and (4) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Title II of the federal juvenile justice and delinquency prevention act of 1974 (P.L. No. 93-415; 42 U.S.C. 5634 et seq.).

**NEW SECTION.** Sec. 23. This chapter shall be known as the 'Juvenile Court Procedure for Families In Conflict'.

**NEW SECTION.** Sec. 24. A child or a child's parent or custodian may file with the juvenile court a petition to approve alternative residential placement as provided in RCW 74.13.031(4)(f) as now or hereafter amended. The filing of a petition to approve such placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent or custodian, and confers upon the court a special jurisdiction to approve or disapprove alternative residential placement or its continuation.

**NEW SECTION.** Sec. 25. The juvenile court shall promptly appoint legal counsel for the child whether or not the child is the moving party, schedule a hearing date, and notify the child and his or her parent or custodian of the hearing date, the legal consequences of an approval or disapproval of alternative residential placement, the right of both parties to present evidence at the hearing, and the right of the parent or custodian to be represented by legal counsel at the hearing.

**NEW SECTION.** Sec. 26. The hearing shall be upon the question of the child's placement. Prior to approving an alternative residential placement, the court shall find by a preponderance of the evidence that the reasons for request of alternative residential placement are not capricious and that there is a conflict between the parent and the child that cannot be remedied by counseling, crisis intervention, or continued placement in the parental home.

After making such a finding the court may approve the placement in which the child resides or wishes to reside or the court may place the child in such nonsecure licensed care as is deemed appropriate taking into account the interests of the parents and the best interests of the child.

**NEW SECTION.** Sec. 27. Upon approving an alternative residential placement pursuant to this section, the court shall schedule the matter on the calendar for review within six months, advise the parties of the date thereof, appoint legal counsel to represent the child at the review hearing, and notify the parties of their rights to present evidence at the review hearing and of the right of the parent or custodian to be represented by legal counsel. At each review hearing, the juvenile court: (1) Shall approve or disapprove the continuation of the alternative residential placement according to the same standards and limitations as governed the initial approval; (2) shall determine that such interim services as may be appropriate have been offered the child and his or her family, pursuant to RCW 74.13.031 as now or hereafter amended; and (3) shall again set the matter on the calendar for further review in six months, notifying the parties as before.

**NEW SECTION.** Sec. 28. Sections 23 through 27 of this 1977 amendatory act shall constitute a new chapter in Title 13 RCW.

### PART C

**NEW SECTION.** Sec. 29. This chapter shall be known as the 'Juvenile Court Act in Cases Relating to Dependency of a Child and the Termination of a Parent and Child Relationship'.

**NEW SECTION.** Sec. 30. The legislature declares that the family unit is a fundamental resource of American life which should be nurtured. Toward the continuance of this principle, the legislature declares that the family unit should remain intact in the absence of compelling evidence to the contrary.

**NEW SECTION.** Sec. 31. For purposes of this chapter:

- (1) 'Child' and 'juvenile' shall mean any individual under the age of eighteen years;
- (2) 'Dependent child' shall mean any child:
  - (a) Who has been abandoned; that is, left by his or her parents, guardian, or other custodian without parental care and support; or
  - (b) Who is abused or neglected as defined in chapter 26.44 RCW; or
  - (c) Who has no parent, guardian, or custodian; or
  - (d) Any child:
    - (i) Who is in conflict with his or her parent, guardian, or custodian;
    - (ii) Who refuses to remain in any nonsecure residential placement ordered by a court pursuant to section 26 of this 1977 amendatory act;
    - (iii) Whose conduct evidences a substantial likelihood of degenerating into serious delinquent behavior if not corrected; and
    - (iv) Who is in need of custodial treatment in a diagnostic and treatment facility.

Sec. 32. Section 5, chapter 160, Laws of 1913 and RCW 13.04.060 are each amended to read as follows:

Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing within the county, a dependent ((or delinquent)) child and praying that the superior court deal with such child as provided in this chapter: PROVIDED, That in counties having paid probation

officers, such officers shall, as far as possible, first determine if such petition is reasonably justifiable. Such petition shall be verified and shall contain a statement of facts constituting such dependency ((or delinquency)), as defined in ((RCW 13.04.010)) this chapter, and the names and residence, if known to the petitioner, of the parents, guardian, or custodian of such dependent ((or delinquent)) child. There shall be no fee for filing such petitions.

**NEW SECTION.** Sec. 33. The juvenile court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if a petition is filed with the juvenile court alleging that the child is dependent and the court finds reasonable grounds to believe the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody.

**NEW SECTION.** Sec. 34. (1) A child taken into custody pursuant to section 33 or 51 of this 1977 amendatory act shall be immediately placed in shelter care. 'Shelter care' means temporary physical care in a foster family home or receiving home licensed pursuant to RCW 74.15.030. In no case shall a child who is taken into custody pursuant to section 33 or 51 of this 1977 amendatory act be detained in a secure detention facility. No child may be held longer than seventy-two hours, excluding Sundays and holidays, after such child is taken into custody unless a court order has been entered for continued shelter care. The child and his or her parent, guardian, or custodian shall be informed that they have a right to a preliminary shelter care hearing. The court shall hold a preliminary shelter care hearing if one is requested.

(2) The juvenile court counselor assigned to the matter shall advise the parents, guardian, or legal custodian of the time and place of any shelter care hearing, request that they be present, and inform them of their basic rights as provided in section 37 of this 1977 amendatory act.

(3) At the commencement of the shelter care hearing the court shall advise the parties of their basic rights as provided in section 37 of this 1977 amendatory act and shall appoint counsel pursuant to section 37 of this 1977 amendatory act if counsel has not been retained by the parent or guardian or if the parent or guardian is indigent, unless the court finds that the right to counsel has been expressly and voluntarily waived.

(4) The court shall take testimony concerning the circumstances for taking the child into custody and the need for shelter care. The court shall give the child and the child's parent or guardian and the parent's or guardian's counsel an opportunity to introduce evidence, to be heard in their own behalf, and to examine witnesses.

(5) In class A and AA counties the department of social and health services (and in all other counties the juvenile court probation counselor) shall submit a recommendation to the court as to the further need for shelter care.

(6) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or custodian or other suitable person able and willing to provide supervision and care for such child unless the court finds there is reasonable cause to believe that:

(a) The child has no parent, guardian, custodian, or other suitable person to provide supervision and care for such child; or

(b) The release of such child would present a serious threat of substantial harm to such child.

If continued shelter care is ordered, the court shall set forth its reasons for continued shelter care.

(7) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(8) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. No child shall be detained for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

Sec. 35. Section 6, chapter 160, Laws of 1913 and RCW 13.04.070 are each amended to read as follows:

(1) Upon the filing of ((an information, or)) the petition, the clerk of the court shall issue a summons ((requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall not be less than twenty-four hours after service. The parents of the child, if living, and their residence is known, or its legal guardian, if there be one or if there is neither parent nor guardian, or if his or her residence is not known, then some relative, if there be one, and his residence is known, shall be notified of the proceedings; and in any case the judge shall appoint some suitable person or association to act in behalf of the child)), one directed to the child, if the child is twelve or more years of age, and another to the parents, guardian, or custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to hear the petition. Where the custodian is summoned, the parent or guardian or both shall also be served with a summons.

(2) A copy of the petition shall be attached to each summons.

(3) The summons shall advise the parties of the right to counsel.

(4) The judge may endorse upon the summons an order directing any parent, guardian, or custodian having the custody or control of the child to bring the child to the hearing.

(5) If it appears from affidavit or sworn statement presented to the judge that there is probable cause for the issuance of a warrant of arrest or that the child needs to be taken into custody pursuant to section 33 of this 1977 amendatory act, the judge may endorse upon the summons an order that an officer serving the summons shall at once take the child into custody and take him to the place of shelter designated by the court.

(6) If a party to be served with a summons can be found within the state, the summons shall be served upon the party personally at least five court days before the fact-finding hearing, or such time as set by the court. If the party is within the state and cannot be personally served, but the party's address is known or can with reasonable diligence be ascertained, the summons may be served upon the party by mailing a copy thereof by certified mail at least ten court days before the hearing, or such time as set by the court. If a party other than the child is without the state but can be found or the address is known, or can with reasonable diligence be ascertained, service of the summons may be made either by delivering a copy thereof to the party personally or by mailing a copy thereof to the party by certified mail at least ten court days before the fact-finding hearing, or such time as set by the court.

(7) Service of summons may be made under the direction of the court by any person twenty-one years of age or older who is not a party to the proceedings or by any law enforcement officer, probation counselor, or department of social and health services social worker.

(8) If the person summoned as herein provided, shall fail without reasonable cause to appear and abide the order of the court, ((or bring the child,)) he ((shall)) may be proceeded against as for contempt of court. ((In case the summons cannot be served or the parties served fail to obey [the] same, and in any case when it shall be made to appear to the court that said summons will be ineffectual, a warrant may issue on the order of the court, either against the parent or guardian or the person having custody of the child, or with whom the child may be, or against the child itself. On return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Pending the final disposition of the case, the child may be retained in the possession of the person having charge of same, or may be kept in some suitable place provided by the city or county authorities, or by any association having for one of its objects the care of delinquent and dependent children.))

Sec. 36. Section 7, chapter 160, Laws of 1913 as amended by section 4, chapter 302, Laws of 1961 and RCW 13.04.080 are each amended to read as follows:

In ((any)) a dependency case where it shall appear by the petition or verified statement, that the person standing in the position of natural or legal guardian of the person of any child, is a nonresident of this state, or that the name or place of residence or whereabouts of such person is unknown, as well as in all cases where, after due diligence, the officer has been unable to make service of the summons or notice provided for in ((RCW 13.04.070)) section 35 of this 1977 amendatory act, and a copy of said notice has been deposited in the post office, postage prepaid, directed to such person at his last known place of residence, the court may order said notice published in a legal newspaper printed in the county, qualified to publish summons, once a week for three consecutive weeks, the first publication of said notice to be at least twenty-five days prior to the date fixed for the hearing. Such notice shall be directed to the parent, parents, or other person claiming the right to the custody of the child, if their names are known, or if unknown, the phrase 'To whom it may concern' shall be used and apply to, and be binding upon, any such persons whose names are unknown. The name of the court, the name of the child (or children if of one family), the date of the filing of the petition and the date of hearing and the object of the proceeding in general terms, shall be set forth and the whole shall be subscribed by the clerk. There shall be filed with the clerk an affidavit showing due publication of the notice and the cost of publication shall be paid by the county at not to exceed the rate paid by the county for other legal notices. The publication of notice shall be deemed equivalent to personal service upon all persons, known or unknown, who have been designated as provided in this section.

**NEW SECTION.** Sec. 37. Any party has a right to be represented by an attorney of his or her own choosing in all proceedings under this chapter, to introduce evidence, to be heard in his or her own behalf, to examine witnesses, to receive a decision based solely on the evidence adduced at the hearing, and to an unbiased fact-finder.

At all stages of a proceeding in which a child is alleged to be dependent pursuant to section 31 (2) (a), (b), or (c) of this 1977 amendatory act, the child's parent or guardian shall have the right to be represented by counsel, and if indigent, to have counsel appointed for him or her by the court.

A child alleged to be dependent pursuant to section 31(2)(d) of this 1977 amendatory act shall have the right to appointed counsel.

**NEW SECTION.** Sec. 38. The court, at any stage of a proceeding under this chapter, may appoint a guardian ad litem for a child who is a party to the proceedings. A party to the proceeding or the party's employee or representative shall not be so appointed. Such guardian ad litem shall receive all notice contemplated for a parent in all proceedings under this chapter.

Sec. 39. Section 5, chapter 302, Laws of 1961 and RCW 13.04.091 are each amended to read as follows:

The court shall hold a fact-finding hearing on the petition and, unless the court dismisses the petition, shall make written findings of fact, stating the reasons therefore, and after it has announced its findings of fact shall hold a hearing to consider disposition of the case immediately following the fact-finding hearing or at a continued hearing within fourteen days. No social file or social study shall be considered by the court in connection with the fact-finding hearing or prior to factual determination. Notice of the time and place of the continued hearing may be given in open court. If notice in open court is not given to a party, that party shall be notified by mail of the time and place of any continued hearing.

All hearings may be conducted at any time or place within the limits of the county, and such cases shall not be heard in conjunction with other business of any other division of the superior court. The general public shall be excluded and only such persons shall be admitted who are found by the judge to have a direct interest in the case or in the work of the court.



Stenographic notes or any device which accurately records the proceedings may be required as provided in other civil cases pursuant to RCW 2.32.200.

**NEW SECTION. Sec. 40.** (1) To aid the court in its decision on disposition, a social study, consisting of a written evaluation of matters relevant to the disposition of the case, shall be made. The study shall include all social records and shall be made available to the court. The court shall consider the social file and social study at the disposition hearing in addition to evidence produced at the fact-finding hearing.

(2) In addition to the requirements set forth in subsection (1) of this section, a predisposition study to the court in cases of dependency alleged pursuant to section 31(2)(b) of this 1977 amendatory act shall contain the following information:

- (a) A statement of the specific harm or harms to the child that intervention is designed to alleviate;
- (b) A description of the specific programs, for both the parents and child, that are needed in order to prevent further harm to the child; the reasons why such programs are likely to be useful; the availability of any proposed services; and the agency's overall plan for ensuring that the services will be delivered;
- (c) If removal is recommended, a full description of the reasons why the child cannot be protected adequately in the home, including a description of any previous efforts to work with the parents and the child in the home; the in-home treatment programs which have been considered and rejected; and the parents' attitude toward placement of the child;
- (d) A statement of the likely harms the child will suffer as a result of removal. This section should include an exploration of the nature of the parent-child attachment and the meaning of separation and loss to both the parents and the child;
- (e) A description of the steps that will be taken to minimize harm to the child that may result if separation occurs; and
- (f) Behavior that will be expected before determination that supervision of the family or placement is no longer necessary.

**NEW SECTION. Sec. 41.** If, after a fact-finding hearing pursuant to section 39 of this 1977 amendatory act, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of section 31(2) (a), (b), or (c) of this 1977 amendatory act; after consideration of the predisposition report prepared pursuant to section 39 of this 1977 amendatory act and after a disposition hearing has been held pursuant to section 39 of this 1977 amendatory act, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

- (a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services that least interfere with family autonomy, provided that the services are adequate to protect the child.
- (b) Order that the child be placed in foster care. Such an order may be made only if:
  - (i) There is no parent or guardian available to care for such child; or
  - (ii) The child is unwilling to reside in the custody of the child's parent or guardian; or
  - (iii) The parent or guardian is not willing to take custody of the child; or
  - (iv) A manifest danger would exist that the child will suffer further abuse or neglect if the child is not removed from the home.

(2) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties.

- (a) The agency plan shall specify what services the parents will receive in order to enable them to resume custody and what actions the parents must take in order to resume custody.
- (b) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement.
- (c) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.
- (d) The agency charged with supervising a child in placement shall be responsible for assuming that all services are provided. It shall report to the court if it is unable to provide such services.

(3) The status of all children found to be dependent shall be reviewed by the court at least every six months at a hearing in which it shall be determined whether court supervision should continue.

(a) A child shall be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section still exists. When a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

- (b) If the child is not returned home, the court shall establish in writing:
  - (i) What services have been provided to or offered to the parents to facilitate reunion;
  - (ii) The extent to which the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;
  - (iii) Whether the agency is satisfied with the cooperation given to it by the parents;
  - (iv) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order such services; and
  - (v) When return of the child can be expected.

(c) If a child is not returned to the child's home, at such review hearing the court shall advise the parents that a petition to seek termination of parental rights may be ordered at the next review hearing.

(d) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

**NEW SECTION.** Sec. 42. If after a fact-finding hearing it has been proven beyond a reasonable doubt that a child is dependent within the meaning of section 31(2)(d) of this 1977 amendatory act, and after consideration of the predisposition report and after a disposition hearing, the court may order one of the following dispositions of the child:

(a) Placement of the child in an alternative nonsecure residential facility pursuant to section 26 of this 1977 amendatory act;

(b) Commitment to the department of social and health services for placement in a custodial diagnostic and treatment facility for not more than thirty days only if other less restrictive alternatives have failed, if such a treatment facility is available, and if the diagnosis and treatment is reasonably expected to prevent degeneration of the child's conduct into serious delinquent behavior: **PROVIDED**, That such housing and treatment shall be entirely separate from that of youth who have been found guilty of committing a felony or misdemeanor.

Sec. 43. Section 15, chapter 160, Laws of 1913 and RCW 13.04.150 are each amended to read as follows:

Any order made by the court in the case of a dependent ((or delinquent)) child may at any time be changed, modified or set aside, as to the judge may seem meet and proper.

Sec. 44. Section 8, chapter 160, Laws of 1913 as last amended by section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100 are each amended to read as follows:

((An order of commitment may be temporary or permanent in the discretion of the court, and may be revoked or modified as the circumstances of the case may thereafter require.)) In any case in which the court shall find the child dependent ((or delinquent)), it may in the same or subsequent proceeding upon the parent or parents, guardian, or other person having custody of said child, being duly summoned or voluntarily appearing, proceed to inquire into the ability of such persons or person to support the child or contribute to its support, and if the court shall find such person or persons able to support the child or contribute thereto, the court may enter such order or decree as shall be according to equity in the premises, and may enforce the same by execution, or in any way in which a court of equity may enforce its decrees: **PROVIDED, That no support payments shall be required of a parent who, throughout a dependence proceeding pursuant to section 31 (2) (d) of this 1977 amendatory act, has continuously sought reconciliation with, and the return of, his or her child, unless such parent has been found to have abused or neglected such children.**

Sec. 45. Section 1, chapter 188, Laws of 1955 as amended by section 8, chapter 302, Laws of 1961 and RCW 13.04.105 are each amended to read as follows:

In any case in which an order or decree of the juvenile court requiring a parent or parents, guardian, or other person having custody of a child to pay for ((detention)) shelter care and/or support of such child is not complied with, the court may, upon such person or persons being duly summoned or voluntarily appearing, proceed to inquire into the amount due upon said order or decree and enter judgment for such amount against the defaulting party or parties, and such judgment shall be docketed as are other judgments for the payment of money.

In such judgments, the county in which the same are entered shall be denominated the judgment creditor, or the state may be the judgment creditor where the child is in the custody of a state agency and said judgments may be enforced by the prosecuting attorney of such county, or the attorney general where the state is the judgment creditor and any moneys recovered thereon shall be paid into the registry of the juvenile court and shall be disbursed to such person, persons, agency, or governmental department as the court shall find to be entitled thereto.

Such judgments shall remain as valid and enforceable judgments for a period of six years subsequent to the entry thereof.

**NEW SECTION.** Sec. 46. A petition seeking termination of a parent and child relationship may be filed in juvenile court. Such petition shall conform to the requirements of RCW 13.04.060 as now or hereafter amended and shall allege:

(1) That the child has been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency under section 31(2)(a) or (b) of this 1977 amendatory act; and

(2) That the conditions which led to the removal still persist; and

(3) That there is little likelihood that those conditions will be remedied so that the child can be returned to the parent in the near future; and

(4) That continuation of the parent and child relationship clearly diminishes the child's prospects for early integration into a stable and permanent home; and

(5) That, if the finding of dependency has been pursuant to section 31(2)(b) of this 1977 amendatory act, necessary services have been provided or offered to the parent to facilitate a reunion; and

(6) That the parent has substantially failed to accept such services; and

(7) That if the parent is subject to an order of disposition pursuant to the finding of dependency, the parent has substantially failed to comply with the order.

**NEW SECTION.** Sec. 47. After hearings pursuant to RCW 13.04.091, the court may enter an order terminating all parental rights to a child if the court finds that:

(1) The allegations contained in the petition as provided in section 46 of this 1977 amendatory act are established by clear, cogent, and convincing evidence; and

(2) Such an order is in the best interests of the child.

**NEW SECTION.** Sec. 48. (1) Upon the termination of parental rights pursuant to section 46 of this 1977 amendatory act, all rights, powers, privileges, immunities, duties, and obligations, including any rights to custody, control, visitation, or support existing between the child and parent shall be severed and terminated and the parent shall have no standing to appear at any further legal proceedings concerning the child: **PROVIDED,** That any support obligation existing prior to the effective date of the order terminating parental rights shall not be severed or terminated. The rights of one parent may be terminated without affecting the rights of the other parent and the order shall so state.

(2) An order terminating the parent and child relationship shall not disentitle a child to any benefit due the child from any third person, agency, state, or the United States, nor shall any action under this chapter be deemed to affect any rights and benefits that a native American child derives from the child's descent from a member of a federally recognized Indian tribe.

**NEW SECTION.** Sec. 49. If, upon entering an order terminating the parental rights of a parent, there remains no parent having parental rights, the court shall commit the child to the custody of the department of social and health services or to a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption, or in the absence thereof in a licensed foster home, or take other suitable measures for the care and welfare of the child. The custodian shall have authority to consent to the adoption of the child, the marriage of the child, the enlistment of the child in the armed forces of the United States, necessary surgical and other medical treatment for the child, and to consent to such other matters as might normally be required of the parent of the child.

If a child has not been adopted within two years after the date of the order and a general guardian of the child has not been appointed by the court, the child shall be returned to the court for entry of further orders for his or her care, custody, and control.

**NEW SECTION.** Sec. 50. Sections 29, 30, 31, 33, 34, 37, 38, 40, 41, 42, and 46 through 49 of this 1977 amendatory act shall constitute a new chapter in Title 13 RCW. The following sections of the Revised Code of Washington, as now or hereafter amended, are hereby decodedified and shall be recodified as part of said new chapter: RCW 13.04.060, 13.04.070, 13.04.080, 13.04.091, 13.04.100, 13.04.105, and 13.04.150.

Sec. 51. Section 5, chapter 13, Laws of 1965 as last amended by section 28, chapter 80, Laws of 1977 1st ex. sess. and RCW 26.44.050 are each amended to read as follows:

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it shall be the duty of the law enforcement agency or the department of social and health services to investigate and provide the protective services section with a report in accordance with the provision of chapter 74.13 RCW, and where necessary to refer such report to the court.

A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to section 33 of this 1977 amendatory act. Notwithstanding the provisions of RCW 13.04.130 as now or hereafter amended, the law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child or adult developmentally disabled person for the purpose of providing documentary evidence of the physical condition of the child or disabled person at the time the child or disabled person was taken into custody.

Sec. 52. Section 28A.27.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.070 are each amended to read as follows:

Any attendance officer, sheriff, deputy sheriff, marshal, policeman, or any other officer authorized to make arrests, shall take into custody without a warrant a child who is required under the provisions of RCW 28A.27.010 through 28A.27.130 to attend school, such child then being a truant from instruction at the school which he is lawfully required to attend, and shall forthwith deliver a child so detained either (1) to the custody of a person in parental relation to the child or (2) to the ((teacher from whom)) school from which the child is then a truant((; or, if after consulting the teacher or other school officials it appears such child be an habitual or incorrigible truant, shall deliver such child into the hands of a juvenile probation officer as provided for in chapter 13.04 RCW for such further action thereon as such officer shall determine under chapter 13.04 RCW)). A designated school official may inform an habitual truant and such child's parents, and shall inform any student who has been expelled from school in accordance with procedures provided by law and such child's parents, of the nature and location of services provided for in RCW 74.13.020(3) if such services may be appropriate to the needs of the child, and shall offer to assist in establishing contact between such family and such services. An habitual ((or-incorrigible)) truant for the purposes of this section is one who absents himself with frequency from the school he is required to attend((; or is guilty of willful and continued disobedience to the school rules and regulations or laws, or whose conduct is pernicious and injurious to the school)).

Sec. 53. Section 9A.76.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.010 are each amended to read as follows:

The following definitions are applicable in this chapter unless the context otherwise requires:

(1) 'Custody' means restraint pursuant to a lawful arrest or an order of a court: **PROVIDED,** That custody pursuant to sections 16 through 19, 21 through 27, and 29 through 49 of this 1977 amendatory act shall not be deemed custody for purposes of this chapter;

(2) 'Detention facility' means any place used for the confinement of a person (a) arrested for, charged with or convicted of an offense, or (b) charged with being or adjudicated to be a ((dependent or delinquent child)) juvenile offender as defined in ((RCW 13.04.010)) section 56 of this 1977 amendatory act as now

existing or hereafter amended, or (c) held for extradition or as a material witness, or (d) otherwise confined pursuant to an order of a court, except an order under sections 23 through 27 and 29 through 49 of this 1977 amendatory act, or (e) in any work release, furlough, or other such facility or program;

(3) 'Contraband' means any article or thing which a person confined in a detention facility is prohibited from obtaining or possessing by statute, rule, regulation, or order of a court.

**NEW SECTION.** Sec. 54. Any child taken into custody or receiving services under sections 16 through 52 of this 1977 amendatory act may not be delivered to or placed with a parent who has not been awarded temporary or permanent custody of such child, pursuant to a child custody order under chapter 26.09 RCW, unless such child has been found by the juvenile court to be a dependent child as provided in section 31 of this 1977 amendatory act.

#### PART D

**NEW SECTION.** Sec. 55. (1) This chapter shall be known and cited as the Juvenile Justice Act of 1977.

(2) It is the intent of the legislature that a system capable of having primary responsibility for, being accountable for, and responding to the needs of youthful offenders, as defined by this chapter, be established. It is the further intent of the legislature that youth, in turn, be held accountable for their offenses and that both communities and the juvenile courts carry out their functions consistent with this intent. To effectuate these policies, it shall be the purpose of this chapter to:

- (a) Protect the citizenry from criminal behavior;
- (b) Provide for determining whether accused juveniles have committed offenses as defined by this chapter;
- (c) Make the juvenile offender accountable for his or her criminal behavior;
- (d) Provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender;
- (e) Provide due process for juveniles alleged to have committed an offense;
- (f) Provide necessary treatment, supervision, and custody for juvenile offenders;
- (g) Provide for the handling of juvenile offenders by communities whenever consistent with public safety;
- (h) Provide for restitution to victims of crime;
- (i) Develop effective standards and goals for the operation, funding, and evaluation of all components of the juvenile justice system and related services at the state and local levels; and
- (j) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the courts, institutions, and community services.

**NEW SECTION.** Sec. 56. For the purposes of this chapter:

(1) 'Serious offender' means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

- (a) A class A felony, or an attempt to commit a class A felony;
- (b) Manslaughter in the first degree, rape in the first degree, or rape in the second degree; or
- (c) Assault in the second degree, extortion in the first degree, indecent liberties, kidnaping in the second degree, robbery in the second degree, burglary in the second degree, statutory rape in the first degree, or statutory rape in the second degree, where such offenses include the infliction of grievous bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator uses a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) 'Community service' means compulsory service, without compensation, performed by the offender as punishment for committing an offense;

(3) 'Community supervision' means an order of disposition by the court of an adjudicated youth for a period of time not to exceed one year. Such an order may include one or more of the following:

- (a) A fine, not to exceed one hundred dollars;
- (b) Community service not to exceed one hundred fifty hours of service;
- (c) Attendance of information classes;
- (d) Counseling; or
- (e) Such other services to the extent funds are available for such services, conditions, or limitations as the court may require which may not include partial confinement or confinement;

(4) 'Confinement' means any commitment to a facility operated by or pursuant to a contract with the state, or by or pursuant to a contract with any county;

(5) 'Court', when used without further qualification, means the juvenile department of the superior court;

(6) 'Criminal history' shall include all criminal complaints against the respondent where:

(a) The allegations were found correct by a juvenile court. In any judgment where a respondent is convicted of two or more charges arising out of the same course of conduct, where one charge is included within the other, then only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

(7) 'Department' means the department of social and health services;

(8) 'Diversion unit' means any probation counselor who enters into a diversion agreement with an alleged youthful offender or any other person or entity with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to section 8 of this 1977 amendatory act or any person or entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter;

(9) 'Institution' means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(10) 'Juvenile', 'youth', and 'child' shall mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court, or who is over the age of eighteen years but remaining under the jurisdiction of the court as provided in RCW 13.04.260 as recodified by this 1977 amendatory act;

(11) 'Juvenile offender' means any juvenile who has been found by the juvenile court to have committed an offense;

(12) 'Manifest injustice' means a disposition that would impose an excessive penalty on the juvenile or a clear danger to society in light of the purposes of this chapter;

(13) 'Minor or first offender' means a person sixteen years of age or younger who has committed an offense which if committed by an adult would be a class C felony, a gross misdemeanor, or a misdemeanor, and whose prior criminal history, if any, does not include any class A or B felony, more than two class C felonies, or more than one class C felony plus any series of misdemeanors and/or gross misdemeanors totalling three or more, or any series of misdemeanors and/or gross misdemeanors totalling four or more; or who has committed an offense which if committed by an adult would be a class 3 felony (except for any felony which is listed in subsections (1)(a), (b), or (c) of this section) and who has no prior criminal history;

(14) 'Offense' means an act designated a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(15) 'Partial confinement' means confinement in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days of the week spent under community supervision;

(16) 'Respondent' means a juvenile who is alleged or proven to have committed an offense;

(17) 'Restitution' means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, and lost wages resulting from physical injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(18) 'Secretary' means the secretary of the department of social and health services;

(19) 'Services' mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter; and

(20) 'Shelter care' means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care.

**NEW SECTION. Sec. 57.** (1) The secretary shall propose to the legislature no later than November 1st of each even-numbered year disposition standards for all offenses. The standards shall establish, in accordance with the purposes of this chapter, ranges which may include terms of confinement and/or partial confinement and/or community supervision established on the basis of a youth's age, the instant offense, and the history and seriousness of previous offenses, but in no case shall the period of confinement and supervision exceed that to which an adult may be subjected for the same offense(s). Standards proposed for offenders listed in section 56(1) of this 1977 amendatory act shall include a range of confinement which shall not be less than thirty days. No standard range may include a period of confinement which includes both more than thirty, and thirty or less, days. Disposition standards proposed by the department shall provide that in all cases where a youth is sentenced to a term of confinement in excess of thirty days the department may impose an additional period of parole not to exceed eighteen months. Standards of confinement which may be proposed shall relate only to the length of the proposed terms and not to the nature of the security to be imposed. The secretary shall also submit guidelines pertaining to the nature of the security to be imposed on youth placed in his or her custody based on the age, offense(s), and criminal history of the juvenile offender. Such guidelines shall be submitted to the legislature for its review at the same time the department proposes its disposition standards.

(2) The legislature may adopt the proposed standards or refer the proposed standards to the secretary for modification. If the legislature fails to adopt or refer the proposed standards to the secretary by February 15th of the following year, the proposed standards shall take effect without legislative approval on July 1st of that year.

(3) If the legislature refers the proposed standards to the secretary for modification on or before February 15th, the secretary shall resubmit the proposed modifications to the legislature no later than March 1st. The legislature may adopt or modify the resubmitted proposed standards. If the legislature fails to adopt or modify the resubmitted proposed standards by April 1st, the resubmitted proposed standards shall take effect without legislative approval on July 1st of that year.

(4) Notwithstanding any other provision of this section, the secretary shall propose standards and submit guidelines to the legislature no later than November 1, 1977. The legislature shall consider the proposed

standards and submitted guidelines during the following year in the manner prescribed by subsections (2) and (3) of this section. Such standards shall be in effect for the period July 1, 1978, to June 30, 1979.

(5) Any term of confinement in excess of thirty days shall be served at a facility operated by or pursuant to a contract with the state of Washington.

(6) In developing and promulgating the permissible ranges of confinement under this section the secretary shall be subject to the following limitations:

(a) Where the maximum term in the range is ninety days or less, the minimum term in the range shall be no less than fifty percent of the maximum term in the range;

(b) Where the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range shall be no less than seventy-five percent of the maximum term in the range; and

(c) Where the maximum term in the range is more than one year, the minimum term in the range shall be no less than eighty percent of the maximum term in the range.

(7) In developing and promulgating the permissible ranges of partial confinement under this section, the secretary shall be subject to the following limitations:

(a) Where the maximum term in the range is ninety days or less, the minimum term in the range shall be no less than fifty percent of the maximum term in the range; and

(b) Where the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range shall be no less than seventy-five percent of the maximum term in the range.

NEW SECTION. Sec. 58. (1) A youth may be taken into custody:

(a) Pursuant to a court order if a complaint is filed with the court alleging, and the court finds probable cause to believe, that the youth has committed an offense or has violated terms of community supervision;

(b) Without a court order, by a law enforcement officer if grounds exist for the arrest of an adult in identical circumstances. Admission to, and continued custody in, a court detention facility shall be governed by subsection (2) of this section;

(c) Pursuant to a court order that the youth be held as a material witness; or

(d) Where the secretary or the secretary's designee has suspended the parole of a juvenile offender.

(2) A youth shall not be held in detention unless:

(a) The youth has been taken into custody and referred to the court for allegedly committing an offense or when the youth has allegedly failed, or has been found to have failed, to meet the terms of his or her community supervision, and that the youth's past conduct or statements give reason to believe that:

(i) The youth will likely fail to appear for further proceedings; or

(ii) Detention is required to protect a youth who is dangerous to himself or herself;

(b) The court has ordered detention as a material witness;

(c) The youth is a fugitive from justice;

(d) The secretary or the secretary's designee has suspended the early release of a juvenile offender;

(e) There is clear and convincing evidence that the youth is dangerous to others; or

(f) The youth will seek to intimidate witnesses or otherwise unlawfully interfere with the administration of justice.

(3) Upon a finding that members of the community have threatened the health of a youth taken into custody, at the youth's request the court may order continued detention pending further order of the court.

(4) A youth detained under this section may be released upon posting bond set by the court. A court authorizing such a release shall issue an order containing a statement of conditions imposed upon the youth and shall set the date of his or her next court appearance. The court shall advise the youth of any conditions specified in the order and may at any time amend such an order in order to impose additional or different conditions of release upon the youth or to return the youth to custody for failing to conform to the conditions imposed. Failure to appear on the date scheduled by the court pursuant to this section shall constitute the crime of bail jumping.

NEW SECTION. Sec. 59. (1) When a youth taken into custody is held in detention:

(a) An information shall be filed within seventy-two hours, Saturdays, Sundays, and holidays excluded, or the youth shall be released; and

(b) A detention hearing shall be held within seventy-two hours, Saturdays, Sundays, and holidays excluded, from the time of filing the information, to determine whether continued detention is necessary under section 58 of this 1977 amendatory act.

(2) Written notice of the detention hearing, stating the time, place, and purpose of the hearing, and stating the right to counsel, shall be given to the parent, guardian, or custodian if such person can be found and shall also be given to the youth if over twelve years of age.

(3) At the commencement of the detention hearing, the court shall advise the parties of their rights under this chapter and shall appoint counsel as specified in this chapter.

(4) The court shall, based upon the allegations in the information, determine whether the case is properly before it or whether the case should be treated as a diversion case under section 62 of this 1977 amendatory act. If the case is not properly before the court the juvenile shall be ordered released.

(5) Notwithstanding a determination that the case is properly before the court and that probable cause exists, a child shall at the detention hearing be ordered released on the child's personal recognizance pending further hearing unless the court finds detention is necessary under section 58 of this 1977 amendatory act.

(6) If detention is not necessary under section 58 of this 1977 amendatory act the court shall impose the most appropriate of the following conditions or, if necessary, any combination of the following conditions:

(a) Place the child in the custody of a designated person agreeing to supervise such child;

- (b) Place restrictions on the travel of the child during the period of release;
- (c) Require the child to report regularly to and remain under the supervision of the juvenile court;
- (d) Impose any condition other than detention deemed reasonably necessary to assure appearance as required; or
- (e) Require that the child return to detention during specified hours.

**NEW SECTION.** Sec. 60. (1) Proceedings under this chapter shall be commenced in the county where the child resides. However, proceedings may be commenced in the county where an element of the alleged criminal offense occurred if so requested by the child or by the prosecuting attorney of the county where the incident occurred.

(2) If the hearing takes place in the county where an element of the alleged criminal offense occurred, the case and copies of all legal and social documents pertaining thereto shall be transferred to the county where the child resides for a disposition hearing. All costs and arrangements for care and transportation of the child in custody shall be the responsibility of the receiving county as of the date of the transfer, unless the counties otherwise agree.

(3) The court upon motion of any party or upon its own motion may, at any time, transfer a proceeding to another juvenile court when:

- (a) There is reason to believe that an impartial proceeding cannot be held in the county in which the proceeding was begun; or
- (b) It appears that venue is incorrect under this section.

**NEW SECTION.** Sec. 61. (1) Complaints referred to the court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint for legal sufficiency. The purpose of such screening shall be to determine whether:

- (a) The alleged facts bring the case within the jurisdiction of the court; and
- (b) On a basis of available evidence there is probable cause to believe that the youth did commit the offense.

(2) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(3) Where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if the alleged offender is one or more of the following:

- (a) An alleged offender accused of a class A felony, an attempt to commit a class A felony, a class B felony, an attempt to commit a class B felony, assault in the third degree, rape in the third degree, or any other offense listed in section 56(1)(b) or (c) of this 1977 amendatory act; or
- (b) An alleged offender with a criminal history of at least a class A or class B felony, or two class C felony offenses, or at least one class C felony offense and at least one misdemeanor or gross misdemeanor, or at least two gross misdemeanors, or at least one gross misdemeanor and two misdemeanors, or at least three misdemeanors; or

(c) An alleged offender accused of violating his or her diversion agreement or who wishes to be prosecuted rather than enter into a diversion agreement or who has been referred by the diversion unit for prosecution: PROVIDED, That if the prosecutor elects not to file a charge for which there is probable cause, he shall maintain a record, for one year, of such election and the reasons therefor.

(4) If it appears that there is probable cause to believe that an offense has been committed by a youth, the prosecutor may file an information with the juvenile court if the alleged offender is an alleged offender accused of a class C felony.

(5) Whenever the alleged offender is an alleged offender listed in subsection (3) of this section, the prosecutor may file an information on any other criminal complaint regardless of whether or not the other offense is listed in subsection (3)(a) of this section. In lieu of filing an information, the prosecutor may file a motion to modify or revoke community supervision if a criminal complaint alleges a violation of a condition of community supervision.

(6) If an alleged offender does not fall within subsection (3) or (4) of this section, the prosecutor shall refer the complaint to the diversionary unit for the formation of a diversion agreement pursuant to section 62 of this 1977 amendatory act.

(7) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversionary interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile.

(8) The responsibilities of the prosecutor under subsections (1) through (7) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

**NEW SECTION.** Sec. 62. (1) A diversion agreement shall be a contract between a youth accused of an offense and a diversionary unit whereby the youth agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it.

(2) A diversion agreement may include:

- (a) Periods of community service not to exceed one hundred fifty hours, but if the youth is attending school, no community service shall be required during normal school hours;

(b) Restitution limited to the amount of actual loss incurred by the victim, and the youth shall be required to make restitution to the victim unless the youth does not have the means and could not acquire the means to do so;

(c) In assessing periods of community service to be performed and restitution to be paid by a youth who has entered into a diversion agreement, the court officer to whom this task is assigned shall to the extent possible involve members of the community. Such members of the community shall meet with the youth and advise the court officer as to the terms of the diversion agreement and shall supervise the youth in carrying out its terms;

(d) A diversion agreement shall not exceed a period of six months for a misdemeanor or one year for a felony. Any restitution assessed during its term shall not exceed an amount which the youth could be reasonably expected to pay during this period. If additional time is necessary for the youth to complete restitution to the victim, the time period limitations of this subsection may be extended by an additional six months; and

(e) An informational, educational, or counseling interview may be required at a community agency.

(3) The youth shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(4) Divertees and potential divertees shall be afforded due process in all contacts with a diversionary unit regardless of whether said youths are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) Violation of the terms of the agreement shall be the only grounds for termination;

(c) No youth shall be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the youth;

(d) The hearing shall include:

(i) Opportunity to be heard in person and to present evidence;

(ii) The right to confront and cross-examine all adverse witnesses;

(iii) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(iv) Demonstration by evidence that the diverted youth has substantially violated the terms of his or her diversion agreement.

(5) The diversion unit shall be responsible for advising a youth of his or her rights as provided in this chapter.

(6) The right to counsel shall inure prior to the initial interview for purposes of advising the youth as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The youth may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The youth shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews shall mean all interviews regarding the diversion agreement process.

The youth shall be advised that a diversion agreement shall constitute a part of the youth's criminal history as defined by section 56(6) of this 1977 amendatory act. A signed acknowledgement of such advisement shall be obtained from the youth, and the document shall be maintained by the diversionary unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

(7) When a youth enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

(a) The fact that a charge or charges were made;

(b) The fact that a diversion agreement was entered into;

(c) The youth's obligations under such agreement;

(d) Whether the alleged offender performed his or her obligations under such agreement; and

(e) The facts of the alleged offense.

(8) A diversionary unit may refuse to enter into a diversion agreement with a youth. It shall immediately refer such youth to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversionary unit shall also immediately refer the case to the prosecuting attorney for action if such youth fails to make restitution or perform community service as required by the diversion agreement.

(9) A diversionary unit may, in instances where it determines that the act or omission of an act for which a youth has been referred to it involved no victim, or where it determines that the youth referred to it has no prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a youth without entering into a diversion agreement: PROVIDED, That any youth so handled shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the youth's criminal history as defined by section 56(6) of this 1977 amendatory act. A signed acknowledgement of such advisement shall be obtained from the youth and the document shall be maintained



by the unit and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language: PROVIDED FURTHER, That a youth determined to be eligible by a diversionary unit for such release shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other youth referred to the unit.

**NEW SECTION, Sec. 63.** The county prosecuting attorney shall be a party to all juvenile court proceedings involving juvenile offenders or alleged juvenile offenders.

The prosecuting attorney may, after giving appropriate notice to the juvenile court, decline to represent the state of Washington in juvenile court matters except felonies unless requested by the court on an individual basis to represent the state at an adjudicatory hearing in which case he or she shall participate. When the prosecutor declines to represent the state, then such function may be performed by the juvenile court probation counselor authorized by the court or local court rule to serve as the prosecuting authority.

If the prosecuting attorney elects not to participate, the prosecuting attorney shall file with the county clerk each year by the first Monday in July notice of intent not to participate. In a county wherein the prosecuting attorney has elected not to participate in juvenile court, he or she shall not thereafter until the next filing date participate in juvenile court proceedings unless so requested by the court on an individual basis, in which case the prosecuting attorney shall participate.

**NEW SECTION, Sec. 64.** (1) Upon the filing of an information, the clerk of the court shall issue a summons directed to the child, if the child is twelve or more years of age, and another to the parents, guardian, or custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to hear the petition. Where the custodian is summoned, the parent or guardian or both shall also be served with a summons.

(2) A copy of the information shall be attached to each summons.

(3) The summons shall advise the parties of the right to counsel.

(4) The judge may endorse upon the summons an order directing the parents, guardian, or custodian having the custody or control of the child to bring the child to the hearing.

(5) If it appears from affidavit or sworn statement presented to the judge that there is probable cause for the issuance of a warrant of arrest or that the child needs to be taken into custody pursuant to section 33 of this 1977 amendatory act the judge may endorse upon the summons an order that an officer serving the summons shall at once take the child into custody and take the child to the place of detention or shelter designated by the court.

(6) If a party to be served with a summons can be found within the state, the summons shall be served upon the party personally at least five court days before the fact-finding hearing, or such time as set by the court. If the party is within the state and cannot be personally served, but the party's address is known or can with reasonable diligence be ascertained, the summons may be served upon the party by mailing a copy thereof by certified mail at least ten court days before the hearing, or such time as set by the court. If a party other than the child is without the state but can be found or the party's address is known, or can with reasonable diligence be ascertained, service of the summons may be made either by delivering a copy thereof to the party personally or by mailing a copy thereof to the party by certified mail at least ten court days before the fact-finding hearing, or such time as set by the court.

(7) Service of summons may be made under the direction of the court by any law enforcement officer or probation counselor.

(8) If the person summoned as herein provided shall fail without reasonable cause to appear and abide the order of the court, the person may be proceeded against as for contempt of court.

**NEW SECTION, Sec. 65.** (1) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction. Unless waived by the court, the parties, and their counsel, a decline hearing shall be held where:

(a) The respondent is sixteen or seventeen years of age and the petition alleges a class A felony or an attempt to commit a class A felony; or

(b) The respondent is seventeen years of age and the petition alleges assault in the second degree, extortion in the first degree, indecent liberties, kidnaping in the second degree, rape in the second degree, or robbery in the second degree.

(2) The court after a decline hearing may order the case transferred for adult criminal prosecution upon a finding that the declination would be in the best interest of the juvenile or the public. The court shall consider the relevant reports, facts, opinions, and arguments presented by the parties and their counsel.

(3) When the respondent is transferred for criminal prosecution or retained for prosecution in juvenile court, the court shall set forth in writing its finding which shall be supported by relevant facts and opinions produced at the hearing.

**NEW SECTION, Sec. 66.** The court shall hold an adjudicatory hearing on the information, and, after it has announced its findings of fact and its verdict, shall hold a hearing to consider disposition of the case pursuant to sections 69 and 70 of this 1977 amendatory act immediately following the adjudicatory hearing or at a continued hearing within fourteen days unless good cause is shown for a further continuance. Notice of the time and place of the continued hearing may be given in open court. If notice is not given in open court to a party, that party shall be notified by mail of the time and place of any continued hearing.

All hearings may be conducted at any time or place within the limits of the county, and such cases shall not be heard in conjunction with other business of any other division of the superior court.

**NEW SECTION.** Sec. 67. (1) The respondent shall be advised of the allegations in the information and shall be required to plead guilty or not guilty to the allegation(s). The state or the respondent may make preliminary motions up to the time of the plea.

(2) If the respondent pleads guilty, the court may proceed with disposition or may continue the case for a dispositional hearing. If the respondent denies guilt, a hearing date shall be set.

(3) At the adjudicatory hearing it shall be the burden of the prosecution to prove the allegations of the information beyond a reasonable doubt.

(4) The court shall record its findings of fact and shall enter its verdict upon the record. Such findings shall set forth the evidence relied upon by the court in reaching its verdict.

(5) If the respondent is found not guilty he or she shall be released from detention.

(6) If the respondent is found guilty the court may immediately proceed to disposition or may continue the case for a dispositional hearing.

(7) The court following an adjudicatory hearing may request that a predisposition study be prepared to aid the court in its evaluation of the matters relevant to disposition of the case.

(8) In sentencing an offender, the court shall use the disposition standards in effect on the date of the offense.

**NEW SECTION.** Sec. 68. (1) A youth shall be advised of his or her rights when appearing before the court.

(2) A youth and his or her parent, guardian, or custodian shall be advised by the court or its representative that the youth has a right to be represented by counsel at all critical stages of the proceedings. Unless waived, counsel shall be provided to a youth, who is financially unable to obtain counsel without causing substantial hardship to himself or herself or the youth's family, in any proceeding where the youth may be subject to transfer for criminal prosecution, or in any proceeding where the youth may be in danger of confinement or partial confinement. The ability to pay part of the cost of counsel shall not preclude assignment. In no case shall a youth be deprived of counsel because of a parent, guardian, or custodian refusing to pay therefor. The youth shall be fully advised of his or her right to an attorney and of the relevant services an attorney can provide.

(3) The right to counsel shall include the right to the appointment of experts necessary and the experts shall be required pursuant to the procedures and requirements established by the supreme court.

(4) Upon application of a party, the clerk of the court shall issue, and the court on its own motion may issue, subpoenas requiring attendance and testimony of witnesses and production of records, documents, or other tangible objects at any hearing, or such subpoenas may be issued by an attorney of record.

(5) All proceedings shall be transcribed verbatim by means which will provide an accurate record.

(6) The general public and press shall be permitted to attend any hearing unless the court, for good cause, orders a particular hearing to be closed. The presumption shall be that all such hearings will be open.

(7) In all adjudicatory proceedings before the court, all parties shall have the right to adequate notice, discovery as provided in criminal cases, opportunity to be heard, confrontation of witnesses except in such cases as this chapter expressly permits the use of hearsay testimony, findings based solely upon the evidence adduced at the hearing, and an unbiased fact-finder.

(8) A juvenile shall be accorded the privilege against self-incrimination. An extra judicial statement which would be constitutionally inadmissible in a criminal proceeding shall not be received in evidence at an adjudicatory hearing over objection. Evidence illegally seized or obtained shall not be received in evidence over objection at an adjudicatory hearing to prove the allegations against the child. An extra judicial admission or confession made by the child out of court is insufficient to support a finding that the child committed the acts alleged in the information unless a corpus delicti is first established.

(9) Waiver of any right which a child has under this chapter must be an express waiver intelligently made by the child after the child has been fully informed of the right being waived.

(10) Whenever this chapter refers to waiver or objection by a child, the word child shall be construed to refer to a child who is at least twelve years of age. If a child is under twelve years of age, the child's parent, guardian, or custodian shall give any waiver or offer any objection contemplated by this chapter.

**NEW SECTION.** Sec. 69. (1) In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel and the prosecuting attorney shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.

(2) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:

(a) Consider the facts supporting the allegations of criminal conduct by the respondent;

(b) Consider information and arguments offered by parties and their counsel;

(c) Consider any predisposition reports;

(d) Afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;

(e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;

(f) Determine the amount of restitution owing to the victim, if any;

(g) Determine whether the respondent is a serious offender or a minor or first offender;

(h) Consider whether or not any of the following mitigating factors exist:

(i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;

(ii) The respondent acted under strong and immediate provocation;

(iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;

(iv) Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and

(v) There has been at least one year between the respondent's current offense and any prior criminal offense;

(i) Consider whether or not any of the following aggravating factors exist:

(i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;

(ii) The offense was committed in an especially heinous, cruel, or depraved manner;

(iii) The victim or victims were particularly vulnerable;

(iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement; and

(v) The respondent was the leader of a criminal enterprise involving several persons;

(j) The following factors shall not be considered in determining the punishment to be imposed:

(i) The sex of the respondent;

(ii) The race or color of the respondent or the respondent's family;

(iii) The creed or religion of the respondent or the respondent's family;

(iv) The economic or social class of the respondent or the respondent's family; and

(v) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter;

(k) A court shall not commit a youth to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community.

**NEW SECTION. Sec. 70. (1)** When the respondent is found to be a serious offender, the court shall commit the offender to the department for a determinate sentence consisting of the standard range of disposition for the offense.

If the court finds that a disposition within the standard range would effectuate a manifest injustice, the court may impose a disposition outside the range but only after it enters reasons upon which it bases its conclusion that disposition within the standard range would effectuate a manifest injustice. A disposition imposed outside a standard range is appealable under section 77 of this 1977 amendatory act by the state or the respondent. A disposition within the standard range is not appealable under section 77 of this 1977 amendatory act.

(2) Where the respondent is found to be a minor or first offender, the court shall order that the respondent serve a term of community supervision. If the court determines that a disposition of community supervision would effectuate a manifest injustice the court may impose another disposition. A disposition other than a community supervision shall be imposed only after the court enters reasons upon which it bases its conclusions that imposition of community supervision would effectuate a manifest injustice. Any disposition other than community supervision may be appealed as provided in section 77 of this 1977 amendatory act by the state or the respondent. A disposition of community supervision may not be appealed under section 77 of this 1977 amendatory act.

(3) A juvenile appearing before the court for formal disposition who has declined to enter into a diversion agreement and who would otherwise be so entitled shall, if determined to be a first or minor offender, be referred to a diversionary unit under the supervision of which such youth may only be required to perform the term of community service and, where there is a victim, shall be required to make restitution under the limits specified in this chapter.

(4) Where the respondent is found to have committed an offense and is neither a serious offender nor a minor or first offender, consistent with the purposes of this chapter the court shall: (a)(i) Where the appropriate standard range includes a period of confinement exceeding thirty days, sentence the offender to the department for a term consisting of the appropriate standard range, or (ii) where the appropriate standard range does not include a period of confinement exceeding thirty days, sentence the offender to a determinate term within the appropriate standard range in which case the court shall consider only those aggravating and mitigating factors set forth in section 69 of this 1977 amendatory act and shall state its reasons for selecting the particular punishment imposed, or (b) shall impose a term of community supervision. If the court sentencing pursuant to subsection (a)(i) or (ii) of this section finds that a disposition within the standard range would effectuate a manifest injustice, it may impose a disposition other than community supervision outside the range but only after it enters reasons upon which it bases its conclusion that disposition within the standard range would effectuate a manifest injustice. A disposition so imposed outside the standard range may be appealed as provided in section 77 of this 1977 amendatory act by the state or the respondent. A disposition within the standard range or of community supervision shall not be appealable under section 77 of this 1977 amendatory act.

(5) A court may require a juvenile offender to serve a period of partial confinement not to exceed thirty days or a period of confinement not to exceed the minimum period of confinement included within the standard range for the offense(s) for which he or she was found guilty, but in no case to exceed thirty days: **PROVIDED**, That such periods of partial confinement and confinement may be required only of youthful

offenders who are: (a) Not sentenced to a sentence within a range established by the legislature; (b) not committed to the department; (c) not first and minor offenders; and (d) are serving terms of community supervision: PROVIDED FURTHER, That all such terms of partial confinement and confinement shall be served in a facility operated by or pursuant to a contract with a county or city.

**NEW SECTION.** Sec. 71. The fingerprints and photograph may be taken of any serious offender.

**NEW SECTION.** Sec. 72. Where a disposition is imposed on a youth for two or more offenses, the terms shall run consecutively, subject to the following limitations: (1) Where the offenses were committed through a single act or omission, or through an act or omission which in itself constituted one of the offenses and also was an element of the other, the aggregate of all the terms shall not exceed one hundred fifty percent of the term imposed for the most serious offense; and (2) in all other cases, the aggregate of all consecutive terms shall not exceed three hundred percent of the term imposed for the most serious offense.

**NEW SECTION.** Sec. 73. (1) In its dispositional order, the court shall require the respondent to make restitution to any persons who have suffered loss or damage as a result of the offense committed by the respondent. The payment of restitution shall be in addition to any punishment which is imposed pursuant to the other provisions of this chapter. The court may determine the amount, terms, and conditions of the restitution. If the respondent participated in the crime with another person or other persons, all such participants shall be jointly and severally responsible for the payment of restitution: PROVIDED, That the court shall not require the respondent to pay full or partial restitution if the respondent reasonably satisfies the court that he or she does not have the means to make full or partial restitution and could not reasonably acquire the means to pay such restitution.

(2) When a respondent who has been ordered by a court to pay a fine or restitution, or to perform service for the public good fails to fulfill that order, the court upon the motion of the prosecutor or upon its own motion, shall require the respondent to show cause why the respondent should not be confined in a detention facility for nonfulfillment. The court may issue a summons or a warrant for arrest to compel the respondent's appearance.

(3) The respondent shall have the burden of showing that the nonpayment or nonfulfillment was not a wilful refusal and that he or she did not have the means and could not reasonably acquire the means to pay the fine or restitution or to perform the service for the public good. If the court finds that the default was wilful, it may order the youth detained in a county facility for one day for each twenty-five dollars of restitution or fine on which the youth wilfully defaulted or may order the youth detained in a county facility for one day for each eight hours of community service on which the youth wilfully defaulted.

**NEW SECTION.** Sec. 74. Consistent with the purposes of this chapter, if the respondent violates a condition of his or her community supervision, community supervision may be revoked or modified and further permissible punishment imposed pursuant to the provisions of this chapter. Such punishment may include a period of confinement and/or partial confinement in a county facility not to exceed thirty days. Community supervision may only be revoked or modified upon the same due process as would be afforded an adult alleged probation violator.

**NEW SECTION.** Sec. 75. (1) The secretary shall, except in the case of a youth committed by a court to a term of confinement in a state institution outside the appropriate standard range for the offense(s) for which the youth was found to be guilty established pursuant to section 57 of this 1977 amendatory act, set a release or discharge date for each youth committed to its custody which shall be within the prescribed range to which a youth has been committed. Such dates shall be determined prior to the expiration of sixty percent of a youth's minimum term of confinement included within the prescribed range to which the youth has been committed.

(2) Following the youth's release pursuant to subsection (1) of this section, the secretary may require the youth to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months. The secretary shall, for the period of parole, facilitate the youth's reintegration into his or her community and to further this goal may require the youth to: (a) Undergo available medical or psychiatric treatment; (b) report as directed to a parole officer; (c) pursue a course of study or vocational training; (d) remain within prescribed geographical boundaries and notify the department of any change in his or her address; and (e) refrain from committing new offenses. After termination of the parole period, the youth shall be discharged from the department's supervision.

(3) The department may also revoke or modify parole for violation thereof. If, after affording a youth all of the due process rights to which he or she would be entitled if the youth were an adult, the secretary finds that a youth has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (a) Continued supervision under the same conditions previously imposed; (b) intensified supervision with increased reporting requirements; (c) additional conditions of supervision authorized by this chapter; and (d) imposition of a period of partial confinement not to exceed thirty days.

(4) A parole officer of the department of social and health services shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest such person.

**NEW SECTION.** Sec. 76. Whenever legal custody of a child is vested in someone other than his or her parents, after due notice to the parents or other persons legally obligated to care for and support the child, and after a hearing, the court may order and decree that the parent or other legally obligated person shall pay in such a manner as the court may direct a reasonable sum representing in whole or in part the costs of support, treatment, and confinement of the child after the decree is entered. If the parent or other legally

obligated person wilfully fails or refuses to pay such sum, the court may proceed against such person for contempt.

**NEW SECTION.** Sec. 77. (1) Dispositions reviewed pursuant to section 70 of this 1977 amendatory act shall be reviewed in the appropriate division of the court of appeals.

An appeal under this section shall be heard solely upon the record that was before the disposition court. No written briefs shall be required and the appeal shall be heard within thirty days following the date of sentencing and a decision rendered within fifteen days following the argument. The supreme court shall promulgate any necessary rules to effectuate the purposes of this section.

(2) To uphold a disposition outside the standard range, or which imposes confinement for a minor or first offender, the court of appeals must find (a) that the reasons supplied by the disposition judge are supported by the record which was before the judge and that those reasons clearly and convincingly support the conclusion that a disposition within the range, or nonconfinement for a minor or first offender, would constitute a manifest injustice, and (b) that the sentence imposed was neither clearly excessive nor clearly too lenient.

(3) If the court does not find subsection (2)(a) of this section it shall remand the case for disposition within the standard range or for community supervision without confinement as would otherwise be appropriate pursuant to this chapter.

(4) If the court finds subsection (2)(a) but not subsection (2)(b) of this section it shall remand the case with instructions for further proceedings consistent with the provisions of this chapter.

(5) Pending appeal, a respondent shall not be committed or detained for a period of time in excess of the standard range for the offense(s) committed and shall not be detained if a first or minor offender: **PROVIDED**, That if the order of the disposition court is below the standard range, the respondent shall be committed or detained for no longer than the term set by the disposition court.

(6) Dispositions imposed by the disposition court shall not be final until either the deadline for appeal pursuant to state law or supreme court rule has passed without an appeal being taken, or the court of appeals has issued its decision on the appeal.

**NEW SECTION.** Sec. 78. All references to juvenile delinquents or juvenile delinquency in other chapters of the Revised Code of Washington shall be construed as meaning juvenile offenders or the commitment of an offense by juveniles as defined by this chapter.

**NEW SECTION.** Sec. 79. (1) There is appropriated for the period July 1, 1978, to June 30, 1979, from the general fund nine hundred eighty-three thousand six hundred dollars to be allocated to counties for the cost of operating diversion units as required by this chapter.

(2) The secretary shall administer the funds and shall promulgate, pursuant to chapter 34.04 RCW, rules establishing a planning process and standards which meet the intent of this chapter. The secretary shall also monitor and evaluate, against established standards, all programs and services funded by this appropriation.

(3) The total sum shall be allocated by the secretary to the counties. Diversion units funded by this section shall be administered and operated separately from the court: **PROVIDED**, That counties of classes other than AA and A may request for an exemption from this requirement. The secretary may grant such exemption if it is clearly demonstrated that resources do not exist nor can be established in such county to operate diversion units separately from the court.

(4) In meeting the requirements of this chapter, there shall be a maintenance of effort whereby counties shall exhaust existing resources prior to the utilization of funds appropriated by this section.

(5) It is the intent of the legislature that these funds shall be the maximum amount necessary to meet the requirement of this chapter for the stated period. Courts shall be required to provide diversion programs and services to the extent made possible by available sources. In addressing diverted youths, a resource priority continuum shall be developed whereby the highest priority in resource allocation shall be given to diverted youths who have inflicted bodily harm while the lowest priority shall be given to diverting youths who have committed victimless crimes or minor property offenses.

**NEW SECTION.** Sec. 80. Sections 55 through 78 of this 1977 amendatory act shall constitute a new chapter in Title 13 RCW. RCW 13.04.260 is hereby decodified and shall be recodified as part of that new chapter.

**NEW SECTION.** Sec. 81. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 160, Laws of 1913, section 1, chapter 302, Laws of 1961 and RCW 13.04.010;
- (2) Section 2, chapter 302, Laws of 1961, section 1, chapter 101, Laws of 1973 1st ex. sess. and RCW 13.04.053;
- (3) Section 3, chapter 302, Laws of 1961 and RCW 13.04.056;
- (4) Section 6, chapter 302, Laws of 1961, section 1, chapter 137, Laws of 1967, section 2, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 13.04.095;
- (5) Section 9, chapter 160, Laws of 1913 and RCW 13.04.110;
- (6) Section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120;
- (7) Section 14, chapter 160, Laws of 1913 and RCW 13.04.140;
- (8) Section 1, chapter 116, Laws of 1953 and RCW 13.04.170;
- (9) Section 10, chapter 302, Laws of 1961 and RCW 13.04.190;
- (10) Section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200;
- (11) Section 13, chapter 302, Laws of 1961 and RCW 13.04.210;

(12) Section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220;

(13) Section 15, chapter 302, Laws of 1961 and RCW 13.04.230; and

(14) Section 1, chapter 93, Laws of 1967 and RCW 13.04.250.

**NEW SECTION.** Sec. 82. If any provision of this 1977 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.

**NEW SECTION.** Sec. 83. Section 57 of this 1977 amendatory 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 on July 1, 1977. The remainder of this 1977 amendatory act shall take effect on July 1, 1978."

On page 1, on line 1 of the title after "juveniles;" strike the remainder of the title and insert "amending section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 65, Laws of 1937 and RCW 13.04.030; amending section 3, chapter 160, Laws of 1913 as last amended by section 9, chapter 331, Laws of 1959 and RCW 13.04.040; amending section 3, chapter 30, Laws of 1965 as last amended by section 3, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 74.13.020; amending section 17, chapter 172, Laws of 1967 as last amended by section 4, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 74.13.031; amending section 5, chapter 160, Laws of 1913 and RCW 13.04.060; amending section 6, chapter 160, Laws of 1913 and RCW 13.04.070; amending section 7, chapter 160, Laws of 1913 as amended by section 4, chapter 302, Laws of 1961 and RCW 13.04.080; amending section 5, chapter 302, Laws of 1961 and RCW 13.04.091; amending section 15, chapter 160, Laws of 1913 and RCW 13.04.150; amending section 8, chapter 160, Laws of 1913 as last amended by section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100; amending section 1, chapter 188, Laws of 1955 as amended by section 8, chapter 302, Laws of 1961 and RCW 13.04.105; amending section 5, chapter 13, Laws of 1965 as last amended by section 28, chapter 80, Laws of 1977 1st ex. sess. and RCW 26.44.050; amending section 28A.27.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.27.070; amending section 9A.76.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.010; adding new chapters to Title 13 RCW; adding new sections to chapter 13.04 RCW; creating new sections; repealing section 1, chapter 160, Laws of 1913, section 1, chapter 302, Laws of 1961 and RCW 13.04.010; repealing section 2, chapter 302, Laws of 1961, section 1, chapter 101, Laws of 1973 1st ex. sess. and RCW 13.04.053; repealing section 3, chapter 302, Laws of 1961 and RCW 13.04.056; repealing section 6, chapter 302, Laws of 1961, section 1, chapter 137, Laws of 1967, section 2, chapter 71, Laws of 1975-'76 2nd ex. sess. and RCW 13.04.095; repealing section 9, chapter 160, Laws of 1913 and RCW 13.04.110; repealing section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120; repealing section 14, chapter 160, Laws of 1913 and RCW 13.04.140; repealing section 1, chapter 116, Laws of 1953 and RCW 13.04.170; repealing section 10, chapter 302, Laws of 1961 and RCW 13.04.190; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200; repealing section 13, chapter 302, Laws of 1961 and RCW 13.04.210; repealing section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220; repealing section 15, chapter 302, Laws of 1961 and RCW 13.04.230; repealing section 1, chapter 93, Laws of 1967 and RCW 13.04.250; prescribing penalties; making an appropriation; declaring an emergency; and providing effective dates." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### POINT OF ORDER

Mr. Tilly: "Mr. Speaker, in looking over the Senate committee amendments, I would like you to rule on the scope and object of those amendments added to this bill, referring to House Rule 31."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Tilly, you aren't very specific; however, it appears to the Speaker that the Senate amendments do not change the scope and object of the bill. Engrossed Third Substitute House Bill No. 371 is an act relating to juveniles, covering a broad range of items, including behavior, punishment, jurisdictional limitations, community services. The Senate amendments to the bill deal with matters relating to juveniles and appear to be within the subject matter of the original bill. House Rule 31 deals only with Senate amendments that change the object of the bill; therefore, your point of order is not well taken."

#### MOTION

Mr. Hanna moved that the House do concur in the Senate amendments to Engrossed Third Substitute House Bill No. 371.

#### POINT OF ORDER

Mr. Newhouse: "I thought you should be aware that the amendment enters into RCW 9A., 28A., and 26.44, and incidentally would be some criminal portions of the code which the original bill did not."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The whole subject matter relating to juveniles covers a broad range of items. It appears to the Speaker that the amendments are of a general subject matter of the House bill. The Speaker will so rule."

Representatives Hanna, Becker, Charette and Deccio spoke in favor of the motion to concur in the Senate amendments, and Representatives Tilly, Zimmerman, Paris and Struthers spoke against it.

Mr. Hanna spoke again in favor of the motion.

Mr. King demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Third Substitute House Bill No. 371, and the motion was carried by the following vote: Yeas, 73; nays, 13; not voting, 12.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, O'Brien, Owen, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Craswell, Enbody, Fancher, Flanagan, Hansen, Oliver, Paris, Patterson, Struthers, Tilly, Zimmerman.

Not voting: Representatives Adams, Berentson, Fuller, Haley, Hughes, Lee, Lux, Newhouse, Pardini, Sanders, Schmitten, Whiteside.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 2:30 p.m.

The Speaker called the House to order.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed Third Substitute House Bill No. 371 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 371 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 14; not voting, 20.

Voting yea: Representatives Amen, Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Douthwaite, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Bond, Craswell, Dunlap, Enbody, Fancher, Fuller, Oliver, Owen, Paris, Schmitten, Smith, Struthers, Tilly, Zimmerman.

Not voting: Representatives Adams, Barnes, Barr, Berentson, Blair, Chandler, Conner, Deccio, Ehlers, Haley, Hughes, Hurley G. S., Hurley M., Leckenby, Lee, Pardini, Patterson, Shinoda, Williams, Winsley.

Engrossed Third Substitute House Bill No. 371 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.

## STATEMENTS FOR THE JOURNAL

I wanted to vote against Engrossed Third Substitute House Bill No. 371, but made a mistake in my vote. I feel that although this legislation may be going in the right direction, more study should have been given to the cost this will add to local government. Again, my vote should have been recorded as "No."

OTTO AMEN, 9th District.

Please record me as voting "Aye" on Engrossed Third Substitute House Bill No. 371.

GEORGE S. HURLEY, 44th District.

## MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2451,  
SUBSTITUTE SENATE BILL NO. 2810,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 2451,  
SUBSTITUTE SENATE BILL NO. 2810.

## SENATE AMENDMENTS TO HOUSE BILL

June 8, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 674 with the following amendments:

On page 5, beginning on line 16 after "crop" strike all material down to and including "merchant))" on line 17 and insert "unless otherwise mutually agreed upon between grower and commission merchant"

On page 7, beginning on line 6 after "except" strike all material down to and including "licensee" and insert "by written contract between the consignor or his agent and the licensee"

On page 7, beginning on line 8 strike "as provided by this section"

On page 12, beginning on line 29 strike all of subsection (22)

On page 12, line 34 strike "or dealer/processor"

On page 12, beginning on line 36 after "merchant," strike all the material down to and including "dealer/processor," on page 13, line 1

On page 15, beginning on line 2 after "sale" strike all material down to and including "merchant))" on line 4 and insert ", unless otherwise mutually agreed between grower and commission merchant"

On page 15, line 13 strike "or as dealer/processors"

On page 15, line 20 strike "or dealer/processors"

On page 16, beginning on line 25 after "crops" strike all material down to and including "factors))" and insert "which is not supportable by economic cost factors"

On page 16, line 29 strike section 16 and renumber the remaining sections consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to Substitute House Bill No. 674.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 674 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 674 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representative Nelson G. A.

Not voting: Representatives Adams, Barr, Chandler, Deccio, Haley, Hughes, Hurley M., Leckenby, Lee, Shinoda, Winsley.

Substitute House Bill No. 674 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.



The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. King, the House reverted to the fourth order of business.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 34, by Representative King:

Pertaining to tax reform.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 34 was advanced to second reading.

On motion of Mr. King, further consideration of House Concurrent Resolution No. 34 was deferred, and the resolution was ordered placed at the top of tomorrow's second reading calendar.

#### SENATE AMENDMENTS TO HOUSE BILL

June 8, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 837 with the following amendments:

On page 4, line 20 after "of" strike "fifty" and insert "thirty-five"

On page 4, line 24 after "of" strike "ten thousand" and insert "six thousand five hundred" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mrs. North, the House concurred in the Senate amendments to Substitute House Bill No. 837.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 837 as amended by the Senate.

Mrs. North spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 837 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 61; nays, 3; not voting, 34.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pardini, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Ehlers, Newhouse, Owen.

Not voting: Representatives Adams, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Leckenby, Lee, Nelson G. A., Oliver, Paris, Patterson, Polk, Schmitten, Shinoda, Struthers, Taller, Tilly, Wilson, Winsley, Zimmerman.

Substitute House Bill No. 837 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

June 7, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1184 with the following amendments:

On page 1, line 18 after "sum of" strike "thirty-three million" and insert "thirty-one million five hundred thousand"

On page 3, beginning on line 11 strike all of sections 9 and 10 and renumber the remaining sections consecutively.

On page 3, line 34 insert a new section 11 and renumber the remaining sections accordingly.

**\*NEW SECTION. Sec. 11.** The director of the department of fisheries shall report to the legislature on or before January 1 of each year on the revenues received from the sport and commercial salmon license sales and from salmon privilege taxes for the previous fiscal year and estimates of the revenues to be received for the current and ensuing fiscal years.

The report shall also include the estimates of the amounts required from these revenues for the payment of principal and interest on the bonds authorized by this act and proposals for the use of any remaining revenues for salmon enhancement purposes. The report shall also include a progress report on the current salmon enhancement programs.

The report shall be given to the following standing committees: the house committee on appropriations, the senate committee on ways and means, and the house and senate committees on natural resources."

On page 4, line 3 after "available" strike "to meet the requirements of section 10" and insert "from sport and commercial salmon license sales and from salmon fees and taxes to meet the requirements to section 8."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to Substitute House Bill No. 1184.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1184 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1184 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 1; not voting, 34.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Pardini, Paris, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representative Hawkins.

Not voting: Representatives Adams, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Hughes, Leckenby, Lee, Nelson G. A., Oliver, Patterson, Polk, Schmitten, Shinoda, Struthers, Taller, Tilly, Wilson, Zimmerman, and Mr. Speaker.

Substitute House Bill No. 1184 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.

### MESSAGE FROM THE SENATE

June 3, 1977

Mr. Speaker:

The Senate refuses to grant the request of the House for a conference on **SECOND SUBSTITUTE HOUSE BILL NO. 874**, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Hanna, the House concurred in the Senate amendments to Second Substitute House Bill No. 874.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 874 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 874 as amended by the Senate and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Clayton, Deccio, Dunlap, Erak, Fancher, Flanagan, Haley, Hughes, Lee, Nelson G. A., Shinoda, Taller.

Second Substitute House Bill No. 874 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.

## MESSAGE FROM THE SENATE

May 25, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2480, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Ridder, Morrison, Mardesich.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Lux, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2480.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Lux, Charette and Bond as conferees on Engrossed Senate Bill No. 2480.

## MOTION

On motion of Mr. Bender, the House advanced to the seventh order of business.

## THIRD READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 2034, as amended by the House, by Committee on Constitution and Elections (Originally sponsored by Senator Beck):

Making various changes in election laws.

The bill was read the third time and placed on final passage.

Mr. Hawkins spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 2034 as amended by the House, and the bill passed the House by the following vote: Yeas, 54; nays, 34; not voting, 10.

Voting yea: Representatives Bauer, Becker, Boldt, Burns, Charette, Charnley, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Hurley M., Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Schmitt, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Bender, Clemente, Erak, Haley, Hughes, King, Lee, Shinoda, and Mr. Speaker.

Reengrossed Substitute Senate Bill No. 2034 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. Bender, the House advanced to the eighth order of business.

On motion of Mr. Bender, HOUSE BILL NO. 964 was rereferred from Committee on Rules to Committee on Education.

## RESOLUTIONS

On motion of Mr. Bender, HOUSE RESOLUTION NO. 77-31 was rereferred to Committee on Energy.

On motion of Mr. Bender, HOUSE RESOLUTION NO. 77-38 was rereferred to Committee on Energy.

HOUSE RESOLUTION NO. 77-41, by Representative Boldt:

WHEREAS, The Joint Center for Graduate Studies in Richland, Washington is operated by the University of Washington and Washington State University, with other institutions participating, to provide upper-division and graduate level courses primarily for residents of the Richland area who are working toward postbaccalaureate degrees; and

WHEREAS, In 1975, both houses of the Washington Legislature adopted resolutions calling upon the Council for Postsecondary Education to undertake an examination of the administration and educational functions of the Joint Center and report its findings and recommendations to the respective committees on higher education prior to the end of that year; and

WHEREAS, The resulting Council report recommended various administrative changes in the Center, including an analysis of Center programs, the scheduling of Administrative Board meetings at locations in the Tri-Cities, the provision of advance notice of meetings, changes in the Board's membership, involving the appointment of Tri-Cities residents, the appointment of a resident dean to administer the Center, a requirement that such person be directly responsible to the Administrative Board, the development of a faculty handbook, modifications in budget request documents to provide more complete information on all sources of Center funds, and the adoption of a new inter-institutional operating agreement reflective of the proposed changes; and

WHEREAS, Sufficient time has elapsed for consideration and the implementation of the changes recommended by the Council;

NOW, THEREFORE, BE IT RESOLVED, That the Council for Postsecondary Education determine the extent to which the changes it recommended in the structure and procedures of the Joint Center for Graduate Studies have been implemented, directly consulting with, and soliciting the opinions of, individuals in the Tri-Cities and on the various college campuses who are associated with the Center; and

BE IT FURTHER RESOLVED, That the Council report its findings to the Committee on Higher Education prior to November 1, 1977.

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

## MOTIONS

On motion of Mr. Bender, HOUSE RESOLUTION NO. 77-42 was referred to Committee on Rules.

Mr. Bender, moved that HOUSE RESOLUTION NO. 77-44 be referred to Committee on Energy and Utilities.

Mr. Bender spoke in favor of the motion, and Representatives Oliver and Struthers spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to refer House Resolution No. 77-44 to Committee on Energy and Utilities, and the motion was carried by the following vote: Yeas, 54; nays, 36; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Hurley M., King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martins, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Kilbury, Leckenby,

Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Polk, Sanders, Schmitten, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Erak, Haley, Hughes, Keller, Lee, Sherman, Shinoda.

**HOUSE RESOLUTION NO. 77-45**, by Representatives Erickson, Burns, Oliver, Chandler, Moreau, Shinpoch, Martinis and Grimm:

**WHEREAS**, The state is presently providing financial assistance to students who are unable to meet the cost of postsecondary education; and

**WHEREAS**, It is in the interest of the state to encourage outstanding scholarship on the part of its students in secondary and postsecondary education; and

**WHEREAS**, It has been proposed that the state provide financial awards to students who demonstrate exceptional academic promise or achievement; and

**WHEREAS**, There is concern that middle income students may experience growing difficulty in financing postsecondary education;

**NOW, THEREFORE, BE IT RESOLVED**, That the House of Representatives direct the Council for Postsecondary Education to study the desirability and feasibility of alternative methods of providing financial awards to students showing exceptional academic promise or achievement; and

**BE IT FURTHER RESOLVED**, That the Council for Postsecondary Education examine in its study

- The need for and objectives of such a program;
- The student population which would be served by each alternative;
- The cost to the state of each alternative considered;
- The impact, if any, of each alternative upon the existing programs of student financial aid;

- The availability of private donations for such award programs;  
- Practices in other states which provide financial support based wholly or partially on academic promise or achievement; and

**BE IT FURTHER RESOLVED**, That the Council for Postsecondary Education report its findings and recommendations to the House of Representatives by December 1, 1977; and

**BE IT FURTHER RESOLVED**, That the Council for Postsecondary Education's report include recommendations on whether state financial support should be provided to students demonstrating exceptional academic promise or achievement and, if such support is determined desirable, the best method of providing it.

Ms. Erickson moved adoption of the resolution and spoke in favor of it.

Representatives Newhouse and Burns spoke in favor of the resolution, and Mr. Barnes spoke against it.

The resolution was adopted.

#### MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Saturday, June 11, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## NINETY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, June 11, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Amen, Haley, Nelson (Gary) and Oliver, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jayne Tratnick and Mark Robertson. Prayer was offered by Reverend Charles Loyer of the Westminster Presbyterian Church of Olympia.

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

## MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 697, and has passed the bill as amended by the Conference Committee, and said bill, together with the report of the Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 697, mandating learning objectives for grades K-12 for statutorily required courses, have had the same under consideration, and we recommend that the Senate amendments be adopted and the bill be passed with the Senate amendments.

Signed by Senators McDermott, Gould, Gaspard; Representatives Dunlap, Clemente.

## MOTION

On motion of Mr. Clemente, the House adopted the report of the Conference Committee.

FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 697 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 697 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 73; nays, 10; not voting, 15.

Voting yea: Representatives Barnes, Barr, Bauer, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Charette, Enbody, Grimm, Hawkins, Hughes, Nelson D., Pruitt, Thompson, Walk.

Not voting: Representatives Adams, Amen, Ehlers, Fortson, Gaines, Haley, Keller, Leckenby, Lysen, Nelson G. A., Oliver, Salatino, Smith, Whiteside, Williams.

Substitute House Bill No. 697 as recommended by the 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.

#### REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, establishing procedures for organization of minor political parties, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Grant, Beck, North; Representatives Hawkins, Nelson (Dick).

#### MOTION

On motion of Mr. Hawkins, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### REPORT OF CONFERENCE COMMITTEE

June 9, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2185, permitting aliens to teach in the common school system, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators McDermott, Hayner, Sandison; Representatives Eng, Bender, Schmitt.

#### MOTION

On motion of Mr. Eng, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 183, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 7, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 183, relating to disabled guardianship proceedings, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Marsh, Hayner, Francis; Representatives Smith, Sherman, Winsley.

#### MOTION

On motion of Mr. Smith, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 928, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred **SUBSTITUTE HOUSE BILL NO. 928**, revising energy emergency powers and procedures, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Bottiger, Matson, Bausch; Representatives Lysen, Martinis.

## MOTION

On motion of Mr. Lysen, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MOTION

Mr. Berentson moved that the Committee on State Government be relieved of **SENATE JOINT RESOLUTION NO. 124**, and that the resolution be placed on the second reading calendar for today.

Representatives Berentson and Polk spoke in favor of the motion, and Mr. King spoke against it.

Mr. Patterson demanded an electric roll call vote on the motion, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on State Government of Senate Joint Resolution No. 124 and place it on the second reading calendar, and the motion was lost by the following vote: Yeas, 35; nays, 57; not voting, 6.

Voting yea: Representatives Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hughes, Leckenby, Lee, Lysen, Nelson D., Newhouse, Pardini, Paris, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Tally, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Haley, Keller, Nelson G. A., Oliver.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. Charette presiding) called the House to-order.

## MESSAGE FROM THE GOVERNOR

June 10, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 10, 1977, Governor Ray approved the following House Bills, entitled:

**HOUSE BILL NO. 46:** Authorizing adjustments of workmen's compensation payments.

**SUBSTITUTE HOUSE BILL NO. 70:** Providing for an office and advisory council on archaeology and historic preservation.

**HOUSE BILL NO. 113:** Authorizing the establishment of foreign trade zones.

**HOUSE BILL NO. 208:** Providing attorney's fees for the prevailing party in contract and lease dispute.

**HOUSE BILL NO. 286:** Authorizing humane societies to purchase, possess, and administer sodium pentobarbital for the sole purpose of euthanizing injured, sick, homeless or unwanted domestic pets and animals.

**HOUSE BILL NO. 417:** Restricting taxes on bingo, raffles, or amusement games only under specified conditions.



HOUSE BILL NO. 447: Extending the grounds for suspension or revocation of real estate sales licenses, and exempting brokers from the vehicle dealer's and salesmen's license requirements in certain cases.

HOUSE BILL NO. 459: Affecting workmen's compensation where a change of circumstances has occurred.

HOUSE BILL NO. 474: Allowing payment in full of retainage in contracts.

SUBSTITUTE HOUSE BILL NO. 615: Enacting the "Comprehensive Sentencing Act of 1977."

SUBSTITUTE HOUSE BILL NO. 625: Authorizing the establishment and operation of a central credit union.

HOUSE BILL NO. 627: Authorizing irrigation districts to merge existing sewer districts.

HOUSE BILL NO. 642: Requiring that applications for abatement of taxes on destroyed property be filed in the year of destruction or within 75 days of destruction.

SUBSTITUTE HOUSE BILL NO. 741: Modifying property tax exemption laws pertaining to recapture penalties, reapplication procedures, and notification of change of use.

HOUSE BILL NO. 768: Implementing the law relating to granting of degrees at certain state colleges including financial impact review.

Sincerely,  
Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2268, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2143, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2282, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 10, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 105,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 10, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 280,  
HOUSE BILL NO. 448,  
HOUSE BILL NO. 584,  
HOUSE BILL NO. 1264,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 10, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2608,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 10, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 564,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

The speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. Charette presiding) called the House to order.

SENATE AMENDMENTS TO HOUSE BILL

June 9, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 138 with the following amendments:

On line 20 after "effect" strike "immediately" and insert "July 1, 1977"

On line 3 of the title after "appropriation;" insert "prescribing an effective date;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 138.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 138 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 138 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greeno, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Flanagan, Haley, Nelson G. A., O'Brien, Oliver, Pardini, Shinoda, Tilly.

Engrossed Substitute House Bill No. 138 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.

STATEMENT FOR THE JOURNAL

I wish to have recorded an "Aye" vote on Engrossed Substitute House Bill No. 138 as amended by the Senate.

PAUL SHINODA, 39th District.

SENATE AMENDMENTS TO HOUSE BILL

June 10, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 323 with the following amendments:

Strike everything after the enacting clause and insert:

**'NEW SECTION.** Section 1. This chapter shall be known and may be cited as the 'Financial Institutions Disclosure Act'.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the following terms when used in this chapter shall have the meanings ascribed to them in this section:

(1) 'Application' means a written request for an extension of credit made in accordance with procedures established by a financial institution for the type of credit requested;

(2) 'Default' means that a loan payment due on or before the first day of the month preceding the month in which the reporting period ends remains unpaid;

(3) 'Financial institution' means any bank or trust company, mutual savings bank, savings and loan association or credit union which operates or has a place of business in this state whether or not regulated by the state or federal government and which has more than ten million dollars in assets, and any mortgage company which operates or has a place of business in this state;

(4) 'Foreclosure' means the transfer of title as a result of foreclosure proceedings, a trustee's sale or the giving of a deed in lieu of foreclosure;

(5) 'Home improvement loan' means a loan, unsecured or secured by collateral other than a first lien on residential real property, (a) the proceeds of which are to be used for the purpose of repairing, rehabilitating, or remodeling an existing residential dwelling, as stated by the borrower to the financial institution at the time of the loan transaction, and (b) that is recorded on the books of the financial institution as a home improvement loan;

(6) 'Neighborhood' means an area designated by a census tract, or where no area has been designated by a census tract, an area designated by a zip code;

(7) 'Rejection' means a refusal to commit a loan to a person who has made an application, as defined above;

(8) 'Single-family' means a residence consisting of from one to four dwelling units; and

(9) 'Multifamily' means a residence consisting of more than four dwelling units.

**NEW SECTION.** Sec. 3. (1) Beginning on July 1, 1977, each financial institution with a home office or branch within a standard metropolitan statistical area shall file annually with the secretary of state, on or before a date of ninety days after the end of the fiscal year of the institution, for each neighborhood in which said financial institution has received, made, or rejected a loan application when such neighborhood lies wholly or partially within a standard metropolitan statistical area, a statement, for the loan categories designated in subsection (2) of this section, showing:

(a) The number and aggregate loan amount of owned loans closed subsequent to July 1, 1977, outstanding at the beginning and end of the reporting period: PROVIDED, That this section shall not require reporting of loans closed prior to July 1, 1977;

(b) The number and aggregate loan amount of serviced loans closed subsequent to July 1, 1977, outstanding at the beginning and end of the reporting period: PROVIDED, That this section shall not require reporting of loans closed prior to July 1, 1977;

(c) The number and aggregate dollar amount of applications processed and applications rejected during the reporting period;

(d) The number and amount of loans closed during the reporting period;

(e) The number of foreclosures for the reporting period;

(f) The number of loans in default for the reporting period.

(2) For each of the following loan categories, the information designated in subsection (1) (a) through (f) of this section shall be separately disclosed;

(a) Conventional single-family first mortgages with twenty or more percent down payment;

(b) Conventional single-family first mortgages with less than twenty percent down payment;

(c) Single-family mortgage loans guaranteed under the provisions of the federal Veterans' Benefits Act, Title 38, United States Code, chapter 37, subchapter II;

(d) Single-family mortgage loans insured under the federal National Housing Act, Title 12, United States Code, chapter 13;

(e) Single-family home improvement loans and loans made in accordance with subchapter I, 'Housing Renovation and Modernization', of the National Housing Act, Title 12, United States Code, chapter 13;

(f) Other residential loans including multifamily dwelling loans.

**NEW SECTION.** Sec. 4. Each statement filed under the provisions of this chapter shall be verified by a certified public accountant or by two officers of the financial institution and shall be filed on forms promulgated by the secretary of state. Wherever possible, the secretary of state shall make the forms consistent with the disclosure forms required to be filed by financial institutions under the Federal Home Loan Mortgage Disclosure Act of 1975.

**NEW SECTION.** Sec. 5. The secretary of state shall make statements filed under the provisions of this chapter available for public inspection during the regular business hours of his office, and shall provide copies of the statements to any interested person upon payment of a reasonable fee to cover the cost of copying. Each financial institution which has filed a statement shall make a copy of such statements available for public inspection during regular business hours in each office located in a standard metropolitan statistical area.

**NEW SECTION.** Sec. 6. (1) An institution which is required to file statements by this chapter and which fails to submit a statement on the date required in section 3 of this amendatory act, is guilty of a business offense and shall be fined five hundred dollars or one hundred dollars for each day on which the

statement has not been filed after the required date, whichever is greater. The secretary of state shall refer any violation of this subsection to the attorney general for enforcement.

(2) Any person who files or participates in the filing of any statement required by this chapter with knowledge that such statement is false or misleading in any material regard is guilty of a gross misdemeanor pursuant to RCW 9A.20.

**NEW SECTION.** Sec. 7. To insure and protect the confidential nature of an individual's financial status, no provision of this chapter shall be construed as requiring any institution to divulge the names of individual depositors or mortgagors.

**NEW SECTION.** Sec. 8. The disclosure provisions of this chapter shall be exclusive and shall supersede all statutes, charter provisions, ordinances, resolutions, regulations, and requirements promulgated by the state or any political subdivision thereof.

**NEW SECTION.** Sec. 9. The provisions of this chapter shall expire on January 1, 1981.

**NEW SECTION.** Sec. 10. Sections 11 through 13 of this amendatory act shall be known and may be cited as the 'Fairness in Lending Act'.

**NEW SECTION.** Sec. 11. As used in sections 11 through 13 of this amendatory act:

(1) 'Financial institution' means any bank or trust company, mutual savings bank, credit union, mortgage company, or savings and loan association which operates or has a place of business in this state whether regulated by the state or federal government.

(2) 'Particular type of loan' refers to a class of loans which is substantially similar with respect to the following:

(a) FHA, VA, or conventional as defined in section 3(2) of this amendatory act;

(b) Uniform or nonuniform payment;

(c) Uniform or nonuniform rate of interest;

(d) Purpose; and

(e) The location of the real estate offered as security for the loan as being inside or outside of that financial institution's lending area.

(3) 'Varying the terms of a loan' includes, but is not limited to the following practices:

(a) Requiring a greater down payment than is usual for the particular type of a loan involved;

(b) Requiring a shorter period of amortization than is usual for the particular type of loan involved;

(c) Charging a higher interest rate than is usual for the particular type of loan involved;

(d) A deliberate underappraisal of the value of the property offered as security.

**NEW SECTION.** Sec. 12. Subject to section 13 of this amendatory act, it shall be unlawful for any financial institution, in processing any application for a loan to be secured by a single-family residence to:

(1) Deny or vary the terms of a loan on the basis that a specific parcel of real estate offered as security is located in a specific geographical area, unless building, remodeling, or continued habitation in such specific geographical area is prohibited or restricted by any local, state, or federal law or rules or regulations promulgated thereunder.

(2) Utilize lending standards that have no economic basis.

**NEW SECTION.** Sec. 13. Nothing contained in sections 11 through 12 of this amendatory act shall preclude a financial institution from considering sound underwriting practices in processing any application for a loan to any person. Such practices shall include the following:

(1) The willingness and the financial ability of the borrower to repay the loan.

(2) The market value of any real estate and of any other item of property proposed as security for any loan.

(3) Diversification of the financial institution's investment portfolio.

Sec. 14. Section 1, chapter 68, Laws of 1959 as amended by section 9, chapter 141, Laws of 1973 and RCW 49.60.175 are each amended to read as follows:

It shall be an unfair practice to use ~~((or require designation of))~~ the sex, race, creed, color, ~~((or))~~ national origin, or marital status of any person ~~((on any document))~~ concerning an application for credit in any credit transaction to determine the credit worthiness of an applicant.

**NEW SECTION.** Sec. 15. Sections 11 through 13 of this 1977 amendatory act are each added to chapter 30.04 RCW.

**NEW SECTION.** Sec. 16. Sections 1 through 9 of this amendatory act shall constitute a new chapter in Title 19 RCW."

In the title, strike everything after "institutions;" on line 1 and insert "amending section 1, chapter 68, Laws of 1959 as amended by section 9, chapter 141, Laws of 1973 and RCW 49.60.175; adding a new chapter to Title 19 RCW; adding new sections to chapter 30.04 RCW; prescribing penalties; and prescribing an expiration date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Eng moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 323.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I recall when we were debating this issue earlier there was some worry on the part of some of us that the Supervisor of Banking would not do justice to the issue here. I hear you are recommending that we concur and I'd like to know why you believe the Supervisor of Banking will properly enforce this law."

Mr. Eng: "Representative Douthwaite, one of the reasons is that the Human Rights Commission is way behind in their workload and they don't have the money to catch up actually. Another reason is that even though we'll be transferring this to the Supervisor, just because of the fact of the law in relation to human rights, they still have the power to deal with this, so what will actually happen is that they will work with the supervisor."

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 323 as amended by the Senate.

## POINT OF INQUIRY

Mr. Lysen asked Representative Eng to yield to question, and he refused to yield.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 4; not voting, 10.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Craswell, Gilleland.

Not voting: Representatives Adams, Amen, Flanagan, Haley, Kilbury, Nelson G. A., O'Brien, Oliver, Pardini, Shinoda.

Engrossed Substitute House Bill No. 323 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

June 9, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 449 with the following amendments:

On page 3, line 29 after "functions" insert "authorized by this chapter"

On page 4, line 3 after "two" strike "hundred eleven thousand four hundred twenty" and insert "thousand"

On page 4, beginning on line 8 strike all of section 13.

On page 1, line 3 of the title strike "adding a new section to chapter 43.115 RCW;"

On page 1, line 4 of the title after "providing" strike "expiration dates" and insert "an expiration date"

On page 1, line 5 of the title after "commission" strike all of the material down to and including "commission" on line 6.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Engrossed Second Substitute House Bill No. 449.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 449 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 449 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 16; not voting, 12.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charney, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McKibbin, Moreau, Nelson D., North, Owen, Paris, Pearsall, Pruitt, Salatino, Sanders, Schmittens, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bond, Chandler, Clayton, Craswell, Dunlap, Fancher, Grier, Hurley M., May, McCormick, Newhouse, Polk, Struthers, Wilson.

Not voting: Representatives Adams, Amen, Flanagan, Haley, Hurley G. S., Kilbury, Nelson G. A., O'Brien, Oliver, Pardini, Patterson, Shinoda.

Engrossed Second Substitute House Bill No. 449 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

June 9, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 952 with the following amendments:

On page 3, line 25 after "applicable." insert:

"(4) No owner or operator of a farm tractor, self-propelled unit of farm equipment, or implement of husbandry shall be guilty of a crime or subject to penalty for violation of RCW 46.37.160 as now or hereafter amended unless such violation occurs on a public highway."

Renumber the remaining subsections consecutively.

On page 38, line 22 after "vehicle" and before "while" insert "on a public highway"

On page 44, line 8 after "RCW 46.37.370." insert:

"Sec. 55. Section 4, chapter 232, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1971 ex. sess. and RCW 46.37.530 are each amended to read as follows:

(1) It shall be unlawful:

(a) For any person to operate a motorcycle or motor-driven cycle not equipped with a mirror on the left side of the handlebars which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle.

(b) For any person to operate a motorcycle or motor-driven cycle which does not have a windshield unless he wears glasses, goggles, or a face shield of a type approved by the state commission on equipment.

~~((c) For any person to operate or ride upon a motorcycle or motor-driven cycle unless he wears upon his head a protective helmet of a type approved by the state commission on equipment. Such a helmet must be equipped with either a neck or chin strap which shall be fastened securely while the motorcycle or motor-driven cycle is in motion.))~~

(2) The state commission on equipment is hereby authorized and empowered to adopt and amend regulations, pursuant to the administrative procedure act, concerning the standards and procedures for approval of glasses, goggles, face shields and protective helmets ~~((required in this section))~~. The state commission on equipment shall maintain and publish a list of those devices which the commission on equipment has approved.

Sec. 56. Section 10, chapter 232, Laws of 1967 and RCW 46.37.535 are each amended to read as follows:

It is unlawful for any person to rent out motorcycles unless he shall also have on hand for rent helmets of a type approved by the commission on equipment. ~~((No motorcycle shall be rented out unless the renter thereof has in his possession a helmet of a type approved by the commission on equipment regardless from whom the helmet is obtained.))~~

Renumber the remaining section consecutively.

On page 3 of the title, line 1, after "RCW 46.37.370;" insert: "amending section 4, chapter 232, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1971 ex. sess. and RCW 46.37.530; amending section 10, chapter 232, Laws of 1967 and RCW 46.37.535;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Conner moved that the House concur in the Senate amendments to Substitute House Bill No. 952.

Mr. Conner spoke in favor of the motion, and Mr. Douthwaite spoke against it.

## MOTION

Mr. Newhouse moved that the question be divided and the amendment to page 44, line 8 and the title amendment be considered separately.

## ROLL CALL

The Clerk called the roll on the motion to divide the question and consider the Senate amendments separately on Substitute House Bill No. 952, and the motion was lost by the following vote: Yeas, 35; nays, 53; not voting, 10.

Voting yea: Representatives Barnes, Barr, Berentson, Chandler, Clayton, Deccio, Ehlers, Erickson, Fuller, Gallagher, Gilleland, Greeno, Gruger, Hanna, Hurley M., Knowles, Lee, Lysen, Martinis, May, McCormick, Newhouse, Pardini, Paris, Patterson, Polk, Schmitten, Struthers, Taller, Tilly, Valle, Walk, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Gaines, Grier, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Kreidler, Leckenby, Lux, Maxie, McKibbin, Moreau, Nelson D., North, Owen, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shipoch, Smith, Sommers, Thompson, Vrooman, Warnke, Williams, Wilson.

Not voting: Representatives Adams, Amen, Flanagan, Haley, Kilbury, Nelson G. A., O'Brien, Oliver, Shinoda, and Mr. Speaker.

The Speaker (Mr. Charette presiding) stated the question before the House to be the motion to concur in the Senate amendments to Substitute House Bill No. 952.

Representatives Struthers, Boldt and Bond spoke in favor of the motion, and Representatives Dunlap and Deccio spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Substitute House Bill No. 952, and the motion was carried by the following vote: Yeas, 57; nays, 28; not voting, 13.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Fuller, Gaines, Greeno, Grier, Grimm, Hansen, Hawkins, Heck, Hurley G. S., Keller, King, Knedlik, Lux, Maxie, McKibbin, Moreau, Nelson D., North, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Berentson, Burns, Chandler, Clayton, Deccio, Ehlers, Erickson, Gallagher, Gilleland, Gruger, Hanna, Hurley M., Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, May, McCormick, Newhouse, Pardini, Patterson, Taller, Tilly, Walk, Whiteside, Winsley.

Not voting: Representatives Adams, Amen, Barnes, Flanagan, Haley, Hughes, Kilbury, Nelson G. A., O'Brien, Oliver, Paris, Shinoda, and Mr. Speaker.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Substitute House Bill No. 952 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 952 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; nays, 26; not voting, 12.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Charette, Charnley, Clemente, Craswell, Douthwaite, Dunlap, Enbody, Eng, Erak, Fancher, Fischer, Fortson, Fuller, Gaines, Greeno, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Knedlik, Knowles, Kreidler, Lux, Maxie, McKibbin, Moreau, Nelson D., North, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Chandler, Clayton, Conner, Deccio, Ehlers, Erickson, Gallagher, Gilleland, Gruger, Hurley M., King, Leckenby, Lee, Lysen, Martinis, May, McCormick, Newhouse, Owen, Pardini, Patterson, Tilly, Walk, Whiteside, Winsley.

Not voting: Representatives Adams, Amen, Flanagan, Haley, Hughes, Kilbury, Nelson G. A., O'Brien, Oliver, Paris, Shinoda, Williams.

Substitute House Bill No. 952 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.

The Speaker assumed the Chair.

## MESSAGE FROM THE SENATE

June 9, 1977

Mr. Speaker:

The Senate has refused to recede from its amendment to HOUSE BILL NO. 1284, and asks the House for a conference thereon, and the President has appointed as said conferees: Senators Mardesich, Jones, Van Hollebeke.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Erickson, the House granted the request of the Senate for a conference on House Bill No. 1284.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Erickson, Sommers and Newhouse as conferees on House Bill No. 1284.

The Speaker appointed Representatives Thompson, Erickson and Chandler as conferees on Substitute Senate Bill No. 2435.

## SENATE AMENDMENTS TO HOUSE BILL

June 8, 1977

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1306 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 113, Laws of 1975-'76 2nd ex. sess. and RCW 43.03.010 are each amended to read as follows:

The annual salaries of the following named state elected officials shall be: Governor, (~~forty-two thousand one hundred fifty~~) forty-five thousand dollars; lieutenant governor, (~~seventeen thousand eight hundred~~) twenty-five thousand dollars plus a sum equal to 1/260th of the difference between the annual salary of the lieutenant governor and the annual salary of the governor for each day that the lieutenant governor is called upon to perform the duties of the governor by reason of the absence from the state, removal, resignation, death, or disability of the governor; secretary of state, (~~twenty-one thousand four hundred~~) twenty-seven thousand dollars; state treasurer, (~~twenty-four thousand one hundred fifty~~) thirty-two thousand five hundred dollars; state auditor, (~~twenty-four thousand nine hundred fifty~~) thirty-two thousand five hundred dollars; attorney general, (~~thirty-one thousand five hundred~~) forty-one thousand two hundred dollars; superintendent of public instruction, (~~thirty-one thousand five hundred~~) thirty-seven thousand four hundred dollars; commissioner of public lands, (~~twenty-nine thousand two hundred fifty~~) thirty-seven thousand four hundred dollars; state insurance commissioner, (~~twenty-four thousand fifty~~) thirty-two thousand five hundred dollars; members of the legislature shall receive for their service (~~seven thousand two~~) nine thousand eight hundred dollars per annum, effective January (~~(10, 1977)~~) 8, 1979; and in addition, ten cents per mile for travel to and from legislative sessions.

Sec. 2. Section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.04.090 are each amended to read as follows:

Each justice of the supreme court shall receive an annual salary of (~~thirty-nine thousand four hundred twelve~~) forty-five thousand dollars, but no salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months.

Sec. 3. Section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.06.060 are each amended to read as follows:

Each judge of the court of appeals shall receive an annual salary of (~~thirty-six thousand three hundred twenty-five~~) forty-two thousand dollars, but no salary warrant shall be issued to any judge until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted by him for more than three months.

Sec. 4. Section 2, chapter 144, Laws of 1953 as last amended by section 4, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.08.090 are each amended to read as follows:

Each judge of the superior court shall receive an annual salary of (~~thirty-four thousand two hundred fifty~~) thirty-nine thousand dollars.

Sec. 5. Section 100, chapter 299, Laws of 1961 as last amended by section 5, chapter 263, Laws of 1975 1st ex. sess. and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time justice of the peace shall be (~~twenty-nine~~) thirty-three thousand dollars: PROVIDED, That in cities having a population in excess of four hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located: PROVIDED FURTHER, That no full time justice of the peace shall perform any civil marriage between 8:00 a.m. and 5:00 p.m. Monday through



Friday: PROVIDED FURTHER, That a member of the legislature whose term of office is partly coextensive with or extends beyond the present term of office of any of the officials whose salary is increased by virtue of the provisions of RCW 43.03.010, 2.04.090, 2.06.060, 2.08.090, and 3.58.010 shall be eligible to be appointed or elected to any of the offices the salary of which is increased hereby but he shall not be entitled to receive such increased salary until after the expiration of his present term of office and his subsequent election or reelection to the office to which he was appointed or elected respectively during his term of office as legislator.

**NEW SECTION.** Sec. 6. To carry out the provisions of this 1977 amendatory act, there is hereby appropriated out of the general fund to the governor the sum of one million two hundred thousand dollars, or so much thereof as shall be necessary.

**NEW SECTION.** Sec. 7. 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 July 1, 1977."

In line 4 of the title, after "43.03.010;" strike the remainder of the title and insert "amending section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 4, chapter 263, Laws of 1975 1st ex. sess. and RCW 2.08.090; amending section 100, chapter 299, Laws of 1961 as last amended by section 5, chapter 263, Laws of 1975 1st ex. sess. and RCW 3.58.010; making an appropriation; declaring an emergency; and providing an effective date." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Ehlers, the House refused to concur in the Senate amendments to Second Substitute House Bill No. 1306, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ehlers, Taller and Hanna as conferees on Second Substitute House Bill No. 1306.

#### MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2516 on page 3, line 6 and on page 3, line 10, and asks the House for a conference thereon, and the President has appointed as Senate Conferees: Senators Gaspard, Benitz, Wilson.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Becker, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2516.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Becker, Boldt and Amen as conferees on Engrossed Senate Bill No. 2516.

#### SENATE AMENDMENTS TO HOUSE BILL

June 10, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 292 with the following amendments:

On page 4, line 13 strike "~~((The amount of the bonds to be issued shall be included in the proposition submitted:))~~" and insert "The amount of the bonds to be issued shall be included in the ((proposition)) resolution submitted."

On page 7, line 14 strike "~~((two)) four~~" and insert "two"

On page 7, line 16 after "least" strike "~~((fifteen)) twenty-nine~~" and insert "fifteen"

On page 7, line 21 after "least" strike "~~((fifteen)) twenty-nine~~" and insert "fifteen"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Owen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 292.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 292 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 292 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; nays, 7; not voting, 10.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Bond, Dunlap, Fancher, Gilleland, Newhouse, Polk.

Not voting: Representatives Adams, Amen, Flanagan, Haley, Hurley G. S., Kilbury, Nelson G. A., O'Brien, Oliver, Pardini.

Engrossed Substitute House Bill No. 292 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

June 10, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 293 with the following amendments:

On page 3, line 22 after the period insert "The amount of the revenue bonds to be issued shall be included in the resolution submitted."

On page 4, line 1 at the end of the section, add: "The resolution shall include the amount of the bonds to be issued."

On page 8, line 20 strike "~~((two)) four~~" and insert "two"

On page 8, line 22 after "least" strike "~~((fifteen)) twenty-nine~~" and insert "fifteen"

On page 8, line 27 after "least" strike "~~((fifteen)) twenty-nine~~" and insert "fifteen"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Owen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 293.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 293 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 293 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 9; not voting, 13.

Voting yea: Representatives Barr, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Dunlap, Fancher, Fortson, Gilleland, Hansen, North, Sherman.

Not voting: Representatives Adams, Amen, Bauer, Becker, Berentson, Flanagan, Haley, Kilbury, Nelson G. A., O'Brien, Oliver, Pardini, Polk.

Engrossed Substitute House Bill No. 293 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.

## MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE JOINT RESOLUTION NO. 7, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Grant, Pullen, Goltz.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mrs. Fortson, the House granted the request of the Senate for a conference on House Joint Resolution No. 7.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Hawkins, Fortson and Oliver as conferees on House Joint Resolution No. 7.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2382, authorizing senior citizen passports for admission to and use of state parks, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators von Reichbauer, Lewis, Gaspard; Representatives Hurley (Margaret), North, Paris.

## MOTION

Mrs. Hurley (Margaret) moved that the House adopt the report of the Conference Committee and grant the powers of Free Conference.

Mrs. Hurley (Margaret) spoke in favor of the motion.

## POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Owen.

Mr. Owen: "Representative Hurley, yesterday I brought up the question that in the Free Conference Report they were going to take out the handicapped and you were going to find out about this. Did you?"

Mrs. Hurley (Margaret): "Inadvertently the disabled were left out of the Free Conference report, but that has been reinstated and I believe they are passing out the revised copy of this report for you to read."

Representatives Owen, Smith and Zimmerman spoke against the motion to grant the powers of Free Conference, and Representatives Martinis and Hurley (Margaret) spoke in favor of it.

The motion was carried.

## MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Monday, June 13, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

NINETY-FIFTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Monday, June 13, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Bauer presiding). The Clerk called the roll and all members were present except Representatives Adams, Flanagan, Gaines, Haley, Kilbury, O'Brien and Paris, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Merilee Newhouse and Mike Johnson. Prayer was offered by Reverend George 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.

MESSAGES FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 49,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 11, 1977

Mr. Speaker:

The Senate did not adopt the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1348, and asks that the report be referred back to the Conference Committee for reconsideration.

Sidney R. Snyder, Secretary.

June 11, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 2435, and the President has appointed as Senate conferees: Senators Donohue, Scott, Odegaard.

Bill Gleason, Assistant Secretary.

June 11, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3015, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 649, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 649, implementing law relating to cosmetology, have had the same under consideration, and we recommend that the bill do pass with the following amendments:

On page 2, after line 6 insert the following:

"Sec. 2. Section 7, chapter 180, Laws of 1951 as last amended by section 15, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.18.140 are each amended to read as follows:

Operator, manicurist, instructor operator, manager operator, shop, or school licenses may be renewed from year to year upon the payment on or before the first day of each July following their issuance, of a renewal fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

((A certificate of health is required with an application for an original license, one must also be filed with a renewal application.))

Any manicurist, operator, manager operator, or instructor operator whose license has lapsed may have the same renewed upon payment of all fees which the applicant would have been required to pay to keep such license in effect, and an additional fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended for each lapsed year: PROVIDED, That any person whose license has lapsed for more than three years shall be reexamined, as in the case of any applicant for an original license."

On page 1, line 1 of the title after "cosmetology;" insert "amending section 7, chapter 180, Laws of 1951 as last amended by section 15, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.18.140;"

Signed by Senators Van Hollebeke, Buffington, Bausch; Representatives McCormick, Greengo, Salatino.

### MOTION

On motion of Mrs. McCormick, the House adopted the report of the Free Conference Committee.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of House Bill No. 649 as amended by the Free Conference Committee.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 649 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 72; nays, 4; not voting, 22.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, King, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Struthers, Tallor, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Gilleland, Grimm, Walk.

Not voting: Representatives Adams, Berentson, Boldt, Deccio, Dunlap, Enbody, Eng, Fancher, Flanagan, Haley, Hurley G. S., Kilbury, Knedlik, Lee, O'Brien, Oliver, Paris, Polk, Smith, Sommers, Vrooman, Winsley.

House Bill No. 649 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.

### MESSAGE FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 928, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Report thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

### REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 928, revising energy emergency powers and procedures, have had the same under consideration, and we recommend that the Senate amendment be adopted with the following amendments:

Beginning on page 3, after line 26 strike all of section 4 down through line 18 on page 7 and insert:

"Sec. 4. Section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21G.040 are each amended to read as follows:

((In addition to his existing powers and duties, the governor shall have the following duties and special energy emergency powers subject to the definitions and limitations in this chapter:))

(1) The governor may(~~(;~~ upon finding that a situation exists which threatens to seriously disrupt or diminish energy supplies to the extent that life, health, or property may be jeopardized, declare a condition or state of "energy supply alert", at which time all of the general and specific)) subject to the definitions and limitations provided in this chapter:

(a) Upon finding that an energy supply alert exists within this state or any part thereof, declare a condition of energy supply alert; or

(b) Upon finding that an energy emergency exists within this state or any part thereof, declare a condition of energy emergency. A condition of energy emergency shall terminate thirty consecutive days after the declaration of such condition if the legislature is not in session at the time of such declaration and if the governor fails to convene the legislature pursuant to Article III, section 7 of the Constitution of the state of Washington within thirty consecutive days of such declaration. If the legislature is in session or convened, in accordance with this subsection, the duration of the condition of energy emergency shall be limited in accordance with subsection (3) of this section.

Upon the declaration of a condition of energy supply alert or energy emergency, the governor shall present to the committee any proposed plans for programs, controls, standards, and priorities for the production, allocation, and consumption of energy during any current or anticipated condition of energy emergency, any proposed plans for the suspension or modification of existing rules of the Washington Administrative Code, and any other relevant matters the governor deems desirable. The governor shall review any recommendations of the committee concerning such plans and matters.

Upon the declaration of a condition of energy supply alert or energy emergency, the emergency powers ((further enumerated)) as set forth in this ((section)) chapter shall become effective only within the area described in the declaration. ((Concurrent with such declaration the governor shall convene the council which shall then meet within five days of the declaration of the alert, if it is not already in session:))

(2) A condition of energy supply alert shall terminate ninety consecutive days after the declaration of such condition unless:

(a) Extended by the governor upon issuing a finding that the energy supply alert continues to exist, and with prior approval of such an extension by the committee; or

(b) Extended by the governor based on a declaration by the president of the United States of a national state of emergency in regard to energy supply; or

(c) Upon the request of the governor, extended by declaration of the legislature by concurrent resolution of a continuing energy supply alert.

In the event any such initial extension is implemented, the condition shall terminate one hundred and fifty consecutive days after the declaration of such condition. One or more subsequent extensions may be implemented through the extension procedures set forth in this subsection. In the event any such subsequent extension is implemented, the condition shall terminate sixty consecutive days after the implementation of such extension.

(3) ((The) A condition of ((!))energy ((supply alert)) emergency shall terminate ((after sixty)) forty-five consecutive days after the declaration of such condition unless ((a continuing condition of energy supply alert) exists, which shall be defined as the occurrence of either of the following: (a) Extension):

(a) Extended by the governor upon issuing a finding that the energy emergency continues to exist, and with prior approval of such an extension by the committee; or

(b) Extended by the governor based on a declaration by the president of the United States of a national state of emergency in regard to energy supply((:)); or

((((b))) (c) Upon the request of the governor, extended by declaration of the legislature by concurrent resolution of a continuing ((condition of ))energy ((supply alert)) emergency.

In the event any such initial extension is implemented, the condition shall terminate ninety consecutive days after the declaration of such condition. One or more subsequent extensions may be implemented through the extension procedures set forth in this subsection. In the event any such subsequent extension is implemented, the condition shall terminate forty-five consecutive days after the implementation of such extension.

((((3) The conditions)) (4) A condition of ((an)) energy supply alert or energy emergency shall ((alternatively)) cease to exist upon a declaration to that effect by either of the following: (a) The governor; or (b) the legislature, by concurrent resolution, if in regular or extraordinary session: PROVIDED, That the governor shall terminate a condition of energy supply alert or energy emergency when the energy supply situation upon which the declaration of a condition of energy supply alert or energy emergency was based no longer exists.

(5) In a condition of energy supply alert, the governor may, as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the fullest extent possible, the injurious economic, social, and environmental consequences of such energy supply alert, issue orders to: (a) Suspend or modify existing rules of the Washington Administrative Code of any state agency relating to the consumption of energy by such agency or to the production of energy, and (b) direct any state or local governmental agency to implement programs relating to the consumption of energy by the agency which have been developed by the governor or the agency and reviewed by the committee.

((((4))) (6) In a ((declared state)) condition of energy ((supply alert)) emergency, the governor may, ((upon recommendation or approval of the energy advisory council,)) as deemed necessary to preserve and protect the public health, safety, and general welfare, and to minimize, to the fullest extent possible, the

injurious economic, social, and environmental consequences of such an emergency, issue orders to: (a) Implement ((such)) programs, controls, standards, and priorities((-and-quotas)) for the production, allocation, ((conservation;)) and consumption of energy; (b) suspend and modify existing pollution control standards and requirements or any other standards or requirements affecting or affected by the use of energy, including those relating to air or water quality control; and (c) establish and implement regional programs and agreements for the purposes of coordinating the energy programs and actions of the state with those of the federal government and of other states and localities.

The governor shall immediately transmit the declaration of a condition of energy supply alert or energy emergency and the findings upon which the declaration is based and any orders issued under the powers granted in this chapter to the committee.

Nothing in this chapter shall be construed to mean that any program, control, standard, priority ((quota;)) or other policy created under the authority of the emergency powers authorized by this chapter shall have any continuing legal effect after the cessation of ((a-declared-state)) the condition of energy supply alert or energy emergency.

If any provision of this chapter is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, including, but not limited to, chapter 34.04 RCW, this chapter shall govern and control, and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this chapter.

Because of the emergency nature of this chapter, all actions authorized or required hereunder, or taken pursuant to any order issued by the governor, shall be exempted from any and all requirements and provisions of the state environmental policy act of 1971, chapter 43.21C RCW, including, but not limited to, the requirement for environmental impact statements.

Except as provided in this section nothing in this chapter shall exempt a person from compliance with the provisions of any other law, rule, or directive unless specifically ordered by the governor. The emergency powers granted to the governor in this chapter shall expire on June 30, 1980."

On page 13, beginning on line 30, strike all after "members." down to and including the period on line 34 and insert "The chairmen of the senate and house energy and utilities committees shall alternately serve as chairman for one year terms. The chairman of the house committee shall serve as the initial chairman. The chairman may designate another committee member to serve as chairman in his or her absence."

On page 15, line 33 of the amendment, after "of the" and before "condition" on line 34, strike "initial" On page 16, line 2, after "of the" and before "condition" on line 3, strike "initial"

On page 16, line 3, after "additional" and before "consecutive" strike "thirty" and insert "forty-five"

Signed by Senators Bottiger, Matson, Bausch; Representatives Lysen, Martinis.

#### MOTION

Mr. Lysen moved that the report of the Free Conference Committee be adopted.

Mr. Lysen spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Leckenby.

Mr. Leckenby: "This is one of the more important issues before this session of the Legislature and I would like to ask to be sure if the emergency powers are to be extended. You've given the names of several federal bodies that can cause an extension or permit an extension to be granted by the Governor, but is it up to the Legislature to grant powers for extending or can a committee of the Legislature grant those powers?"

Mr. Lysen: "It will be up to the Legislature internally. We, of the Legislature, will have to be called into session before the thirty-day period is up. At that point, the Legislature can agree and allow the Governor to go on and allow the Joint Committee to extend the powers, or we can pass a concurrent resolution terminating the emergency powers. It will be up the full Legislature to decide the question ultimately. They, however, may delegate this power to the Joint Committee on Energy to go ahead and monitor."

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Lysen, for further clarification, at the end of the thirty days, or before the end of thirty days, under the provisions of this bill, the Governor has to call the Legislature back into session. Assuming the Legislature says, no, we do not want to extend and the Joint Committee on Energy says that we should extend, who would prevail? Assume the opposite were true, the Legislature says extend, and the Joint Committee says, do not extend. Who would prevail?"

Mr. Lysen: "In each case, the Legislature would prevail. The Joint Committee only functions when the Legislature is not in session."

The motion was carried.

**FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE**

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Substitute House Bill No. 928 as amended by the Free Conference Committee.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 928 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 2; not voting, 16.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Dunlap, Struthers.

Not voting: Representatives Adams, Boldt, Deccio, Enbody, Eng, Flanagan, Haley, Kilbury, Lee, O'Brien, Oliver, Paris, Polk, Vrooman, Winsley, and Mr. Speaker.

Substitute House Bill No. 928 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.

**MESSAGE FROM THE SENATE**

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

**REPORT OF FREE CONFERENCE COMMITTEE**

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, establishing procedures for organization of minor political parties, have had the same under consideration, and we recommend that the House amendment be not adopted and the bill be amended to read as follows:

\*AN ACT Relating to nominations other than by primary; amending section 29.01.090, chapter 9, Laws of 1965 and RCW 29.01.090; amending section 29.18.020, chapter 9, Laws of 1965 and RCW 29.18.020; amending section 29.18.110, chapter 9, Laws of 1965 as amended by section 5, chapter 127, Laws of 1974 ex. sess. and RCW 29.18.110; amending section 29.18.150, chapter 9, Laws of 1965 and RCW 29.18.150; amending section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010; amending section 29.24.020, chapter 9, Laws of 1965 and RCW 29.24.020; 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 29.24.060, chapter 9, Laws of 1965 and RCW 29.24.060; amending section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070; amending section 29.30.080, chapter 9, Laws of 1965 as last amended by section 1, chapter 18, Laws of 1971 and RCW 29.30.080; amending section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100; amending section 29.42.010, chapter 9, Laws of 1965 and RCW 29.42.010; adding a new section to chapter 29.18 RCW; adding a new section to chapter 29.24 RCW; adding a new section to chapter 29.85 RCW; repealing section 29.24.080, chapter 9, Laws of 1965 and RCW 29.24.080; providing penalties; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:**

Section 1. Section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010 are each amended to read as follows:

A 'convention' for the purposes of this chapter, is an organized assemblage of ((at least one hundred)) registered voters representing an independent candidate or candidates or a new or minor political party, organization, or principle(, or in lieu thereof ten registered voters from each congressional district in the state of Washington)). As used in this chapter, the term "election jurisdiction" shall mean the state or any political subdivision or jurisdiction of the state from which partisan officials are elected. This term shall include county commissioner districts or council districts for members of a county legislative authority,



counties for county officials who are nominated and elected on a county-wide basis, legislative districts for members of the legislature, congressional districts for members of congress, and the state for president and vice president, members of the United States senate, and state officials who are elected on a state-wide basis.

Sec. 2. Section 29.24.020, chapter 9, Laws of 1965 and RCW 29.24.020 are each amended to read as follows:

((Any new or minor political party is not entitled to participate in a state primary election but must nominate candidates for public office)) Any nomination of a candidate for partisan public office by other than a major political party shall only be made either: (1) In a convention held on the ((same day that state primary elections are held)) last Saturday immediately preceding the first day for filing declarations of candidacy specified in RCW 29.18.030 or fixed in accordance with RCW 29.68.080 or 29.68.090; or (2) as provided by RCW 29.51.170. A minor political party may hold more than one convention but in no case shall any such party nominate more than one candidate for any one partisan public office or position.

Sec. 3. Section 29.24.030, chapter 9, Laws of 1965 and RCW 29.24.030 are each amended to read as follows:

To be valid, a ((minor party)) convention must:

(1) Be attended by at least ((one hundred registered voters, or in lieu thereof ten registered voters from each congressional district in the state of Washington)) a number of individuals who are registered to vote in the election jurisdiction for which nominations are to be made, which number is equal to one for each ten thousand voters or portion thereof who voted in the last preceding presidential election held in that election jurisdiction or twenty-five such registered voters, whichever number is greater;

(2) Have been called by a notice published in a newspaper of general circulation published in the county in which the convention is to be held at least ten days before the date of the ((primary election)) convention stating the date, hour, and place of meeting ((and a general statement of the principles of the organization)). The notice shall also include the mailing address of the person or organization sponsoring the convention, if any.

Sec. 4. Section 29.24.040, chapter 9, Laws of 1965 and RCW 29.24.040 are each amended to read as follows:

A certificate evidencing nominations made at a ((minority party)) convention must:

(1) Be in writing;

(2) Contain the name of each person nominated, his residence, ((his business,)) and the office for which he is named; together with a sworn statement of each nominee giving his consent to the said nominations;

(3) Designate in not more than five words the purpose for which the convention was held or the new or minor political party, organization, or principle which the convention represents;

(4) Be verified by the oath of the presiding officer and secretary;

(5) Be signed by at least ((one hundred registered voters present at)) a number of individuals who are registered to vote in the election jurisdiction for which the nominations are made and who attended the convention ((and who did not vote at the primary election held on that day, or in lieu thereof be signed by at least ten registered voters from each congressional district in the state of Washington present at a convention, and who did not vote at the primary election held on that day)), which number is equal to the number of registered voters who must have attended the convention for it to be valid under RCW 29.24.030 as now or hereafter amended;

(6) Show the voting addresses of all signers;

(7) Contain proof of publication of the notice of calling the convention; and

(8) Be submitted to the secretary of state not later than the last day for filing declarations of candidacy under RCW 29.18.030, or fixed in accordance with RCW 29.68.080 or 29.68.090.

Sec. 5. Section 29.24.050, chapter 9, Laws of 1965 and RCW 29.24.050 are each amended to read as follows:

The signature ((of)) on a ((minor party)) convention nominating certificate of a person who ((voted)) signed a nominating certificate in ((the primary)) any other convention held on the day of the convention is invalid.

Sec. 6. Section 29.24.060, chapter 9, Laws of 1965 and RCW 29.24.060 are each amended to read as follows:

Upon the receipt of the certificate of nomination of a ((minor party nominating)) convention, the secretary of state shall check ((from the records the required signatures thereto to ascertain if the signers are registered voters and whether said signers voted at the primary election held on the same day as said convention)) the certificate and canvass the signatures thereon to ascertain if the requirements of RCW 29.24.040, as now or hereafter amended, have been met. If the secretary of state finds that the certificate ((is defective or)) does not comply with law he shall refuse to file the same and any declarations of candidacy of candidates nominated by such convention. Within two weeks after the last day of the filing period, as specified by RCW 29.18.030, or fixed in accordance with RCW 29.68.080 or 29.68.090, the secretary of state shall notify the presiding officer and secretary of each convention of any signatures judged invalid, together with the reason for any such judgment. Within one week after such notification, upon request of the presiding officer or secretary of any such convention, the county auditor shall recheck the voter registration records and shall notify the secretary of state of any signatures validated upon rechecking.

On the seventh day after filing a nominating certificate or notifying the presiding officer or secretary of a convention of any signatures judged invalid on a nominating certificate, the secretary of state shall destroy the portion of the certificate which contains the signatures, names, and addresses of convention participants unless the certificate is in dispute, in which case that portion shall be retained until the dispute is resolved.

Upon resolution of any such dispute, the secretary of state shall destroy that portion of the nominating certificate. In no case shall the fact that a voter participated in a particular convention be disclosed to any person other than the election official who checks the validity of signatures on nominating certificates.

Sec. 7. Section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070 are each amended to read as follows:

If ~~((the))~~ a nominating certificate is valid, each candidate ~~((nominated by a minor party convention)),~~ except for the positions of president or vice president, whose nomination is evidenced thereby may file with the secretary of state a declaration of candidacy ~~((as nearly as possible))~~ in the form prescribed for candidates subject to primary election, and each candidate must at the time of filing such declaration pay to the secretary of state the fee prescribed by law for candidates subject to primary election. The name of a candidate nominated at a ~~((minor party))~~ convention shall not be printed upon the ~~((election))~~ primary ballot unless he pays the fee required by law to be paid by candidates for the same office to be nominated at a ~~((election))~~ primary ~~((election))~~.

NEW SECTION. Sec. 8. There is added to chapter 29.24 RCW a new section to read as follows:

A declaration of candidacy of an individual candidate whose name appears on a nominating certificate filed by the secretary of state in accordance with RCW 29.24.060, as now or hereafter amended, shall be submitted to the secretary of state within one week of the filing of the nominating certificate by the secretary of state.

Sec. 9. Section 29.01.090, chapter 9, Laws of 1965 and RCW 29.01.090 are each amended to read as follows:

'Major political party' means(:

(1) In a state-wide election,)) a political party of which at least one nominee for president, vice president, United States senator, or a state-wide office received at least ((ten)) five percent of the total vote cast at the last preceding ((state-wide)) state general election(;

(2) In an election by a constituency confined to a political subdivision of the state, a political party of which at least one nominee received at least ten percent of the total vote cast in that political subdivision at the last preceding general election by that constituency;

(3) In a city or town election, a political party of which at least one nominee received at least ten percent of the total vote cast in the last preceding general city or town election therein)) in an even-numbered year. PROVIDED, That any political party qualifying as a major political party under the previous subsection (2) or subsection (3) of this section prior to its 1977 amendment shall retain such status until after the next state general election following the effective date of this 1977 amendatory act.

Sec. 10. Section 29.18.020, chapter 9, Laws of 1965 and RCW 29.18.020 are each amended to read as follows:

((Only)) The names of the candidates of the major political parties and those independent candidates and candidates of minor political parties who have been nominated pursuant to the provisions of chapter 29.24 RCW shall ((be entitled to)) appear upon the partisan primary ((election)) ballot ((after the names of the candidates affiliated therewith)): PROVIDED, That candidates for the positions of president and vice president shall not appear on the partisan primary ballot. The name of no other ((political party)) candidate shall appear thereon.

Sec. 11. Section 29.18.110, chapter 9, Laws of 1965 as amended by section 5, chapter 127, Laws of 1974 ex. sess. and RCW 29.18.110 are each amended to read as follows:

No name of a candidate for a partisan office shall ((be the party nominee)) appear on the general election ballot unless he receives a number of votes equal to at least ((five)) one percent of the total number cast for all candidates for the position sought(:

Subject thereto, any person)): PROVIDED, That only the name of the candidate who receives a plurality of the votes cast for the candidates of his party for any office shall ((be his party's nominee for that office)) appear on the general election ballot.

If there are two or more positions of the same kind to be filled and more candidates of a party receive a plurality of the votes cast for those positions than there are positions to be filled, the number of candidates equal to the number of positions to be filled who receive the highest number of votes shall be the nominees of their party for those positions.

Sec. 12. Section 29.18.150, chapter 9, Laws of 1965 and RCW 29.18.150 are each amended to read as follows:

Should a place on ((a party)) the ticket of a major political party be vacant because no person has filed for nomination as the candidate of that major political party, after the last day allowed for candidates to withdraw as provided by RCW 29.18.030, and if the vacancy is for a state or county office to be voted on solely by the electors of a single county, the county central committee of the major political party may select and certify a candidate to fill the vacancy; if the vacancy is for any other office the state central committee of the major political party may select and certify a candidate to fill the vacancy; the certificate must set forth the cause of the vacancy, the name of the person nominated, the office for which he is nominated and other pertinent information required in an ordinary certificate of nomination and be filed in the proper office no later than the first Friday after the last day allowed for candidates to withdraw, together with the candidate's fee applicable to that office and a declaration of candidacy~~((:PROVIDED, That a vacancy caused by the death or disqualification of any nominee for a partisan office may be filled as set forth in this section at any time up to and including the day prior to the election.~~

Should such vacancy occur no later than the third Tuesday prior to the state general election concerned and the ballots and voting machine labels have been printed, it shall be mandatory that they be corrected by

the appropriate election officers. In making such correction, it shall not be necessary to reprint complete ballots if any other less expensive technique can be used and the resulting correction is reasonably clear.

Should such vacancy occur after the third Tuesday prior to said state general election and time does not exist in which to correct paper ballots (including absentee ballots) or voting machine labels, either in total or in part, then the votes cast or recorded for the person who has died or become disqualified shall be counted for the person who has been named to fill such vacancy.

When the secretary of state is the person with whom the certificate of nomination is filed he shall in certifying nominations to the various county officers insert the name of the persons nominated to fill a vacancy.

In the event that the secretary of state has already sent forth his certificate when the certificate of nomination to fill a vacancy is filed with him, he shall forthwith certify to the county auditors of the proper counties the name and place of residence of the person nominated to fill a vacancy, the office he is nominated for, the party he represents and all other pertinent facts pertaining to the vacancy).

NEW SECTION. Sec. 13. There is added to chapter 29.18 RCW a new section to read as follows:

A vacancy caused by the death or disqualification of any candidate or nominee of a major or minor political party may be filled at any time up to and including the day prior to the election for that position. For state partisan offices in any political subdivision voted on solely by electors of a single county, an individual shall be appointed to fill such vacancy by the county central committee in the case of a major political party or by the state central committee or comparable governing body in the case of a minor political party. For other partisan offices, including federal or state-wide offices, an individual shall be appointed to fill such vacancy by the state central committee or comparable governing body of the appropriate political party.

Should such vacancy occur no later than the third Tuesday prior to the state primary or general election concerned and the ballots and voting machine labels have been printed, it shall be mandatory that they be corrected by the appropriate election officers. In making such correction, it shall not be necessary to reprint complete ballots if any other less expensive technique can be used and the resulting correction is reasonably clear.

Should such vacancy occur after the third Tuesday prior to said state primary or general election and time does not exist in which to correct paper ballots (including absentee ballots) or voting machine labels, either in total or in part, then the votes cast or recorded for the person who has died or become disqualified shall be counted for the person who has been named to fill such vacancy.

When the secretary of state is the person with whom the appointment by the major or minor political party is filed, he shall, in certifying candidates or nominations to the various county officers insert the name of the person appointed to fill a vacancy.

In the event that the secretary of state has already sent forth his certificate when the appointment to fill a vacancy is filed with him, he shall forthwith certify to the county auditors of the proper counties the name and place of residence of the person appointed to fill a vacancy, the office for which he is a candidate or nominee, the party he represents and all other pertinent facts pertaining to the vacancy.

Sec. 14. Section 29.30.080, chapter 9, Laws of 1965 as last amended by section 1, chapter 18, Laws of 1971 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 list of candidates of the party whose (candidates for presidential electors or candidates) candidate for president received the next highest number of votes from the electors of this state in the preceding presidential election shall be placed in the second column, and the candidates of other political parties and independent candidates shall follow in the order in which certificates of nomination have been filed in the office of the secretary of state.
- (6) No candidate's name shall appear more than once upon the ballot, unless the name appears once for the office of precinct committeeman, in which case the name may appear not more than twice: 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 (Name of candidate)... (Name of candidate)... <input type="checkbox"/>	PRESIDENT AND VICE PRESIDENT (Name of candidate)... (Name of candidate)... <input type="checkbox"/>	
UNITED STATES SENATOR (Name of candidate)... <input type="checkbox"/>	UNITED STATES SENATOR (Name of candidate)... <input type="checkbox"/>	
REPRESENTATIVE IN CONGRESS 3rd Congressional District (Name of candidate)... <input type="checkbox"/>	REPRESENTATIVE IN CONGRESS 3rd Congressional District (Name of candidate)... <input type="checkbox"/>	
GOVERNOR (Name of candidate)... <input type="checkbox"/>	GOVERNOR (Name of candidate)... <input type="checkbox"/>	
LIEUTENANT GOVERNOR (Name of candidate)... <input type="checkbox"/>	LIEUTENANT GOVERNOR (Name of candidate)... <input type="checkbox"/>	
SECRETARY OF STATE (Name of candidate)... <input type="checkbox"/>	SECRETARY OF STATE (Name of candidate)... <input type="checkbox"/>	
STATE TREASURER (Name of candidate)... <input type="checkbox"/>	STATE TREASURER (Name of candidate)... <input type="checkbox"/>	
STATE AUDITOR (Name of candidate)... <input type="checkbox"/>	STATE AUDITOR (Name of candidate)... <input type="checkbox"/>	
ATTORNEY GENERAL (Name of candidate)... <input type="checkbox"/>	ATTORNEY GENERAL (Name of candidate)... <input type="checkbox"/>	

REPUBLICAN PARTY	DEMOCRATIC PARTY	OTHER PARTY
COMMISSIONER OF PUBLIC LANDS (Name of candidate)... <input type="checkbox"/>	COMMISSIONER OF PUBLIC LANDS (Name of candidate)... <input type="checkbox"/>	
INSURANCE COMMISSIONER (Name of candidate)... <input type="checkbox"/>	INSURANCE COMMISSIONER (Name of candidate)... <input type="checkbox"/>	
STATE SENATOR (1st District) (Name of candidate)... <input type="checkbox"/>	STATE SENATOR (1st District) (Name of candidate)... <input type="checkbox"/>	
STATE REPRESENTATIVE (31st District) Position No. 1 (Name of candidate)... <input type="checkbox"/>	STATE REPRESENTATIVE (31st District) Position No. 1 (Name of candidate)... <input type="checkbox"/>	
STATE REPRESENTATIVE (31st District) Position No. 2 (Name of candidate)... <input type="checkbox"/>	STATE REPRESENTATIVE (31st District) Position No. 2 (Name of candidate)... <input type="checkbox"/>	
STATE REPRESENTATIVE (31st District) Position No. 3 (Name of candidate)... <input type="checkbox"/>	STATE REPRESENTATIVE (31st District) Position No. 3 (Name of candidate)... <input type="checkbox"/>	

(Names of other candidates should follow on the ballot in the same form.)

Sec. 15. Section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100 are each amended to read as follows:

The names of the persons certified as the nominees resulting from a primary election by the state canvassing board or the county canvassing board shall be printed on the official ballot prepared for the ensuing election.

No name of any candidate whose nomination at a primary is required by law shall be placed upon the ballot unless it appears upon the certificate of either (1) the state canvassing board, or (2) the county canvassing board, or (3) ~~((a minor party convention, or (4) of))~~ the state or county central committee of a ~~((major))~~ political party exercising its authority under section 13 of this 1977 amendatory act, to fill a vacancy on its ticket ~~((occasioned by any cause on account of which it is lawfully authorized so to do)).~~

Sec. 16. Section 29.42.010, chapter 9, Laws of 1965 and RCW 29.42.010 are each amended to read as follows:

Each political party organization shall have the power to:

- (1) Make its own rules and regulations;
- (2) Call conventions;
- (3) Elect delegates to conventions, state and national;
- (4) Fill vacancies on the ticket;
- (5) Provide for the nomination of presidential electors; and
- (6) Perform all functions(;) inherent in such an organization: PROVIDED, That ~~((in no instance shall any convention have the power to nominate any candidate to be voted for at any primary election))~~

only major political parties shall have the power to designate candidates to appear on the state primary election ballot as provided in RCW 29.18.150 as now or hereafter amended.

NEW SECTION. Sec. 17. There is added to chapter 29.85 RCW a new section to read as follows:

Any person who knowingly signs a nominating certificate with any other than his or her true name, or who signs such petition knowing that he or she is not a legal voter or who knowingly makes therein any false statement as to his or her residence shall be guilty of a gross misdemeanor, as provided by RCW 9A.72.040.

NEW SECTION. Sec. 18. Section 29.24.080, chapter 9, Laws of 1965 and RCW 29.24.080 are each repealed.

NEW SECTION. Sec. 19. This 1977 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."

Signed by Senators Grant, Beck, North; Representatives Hawkins, Nelson (Dick).

## MOTION

On motion of Mr. Hawkins, the report of the Free Conference Committee was adopted.

**FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE**

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2032 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2032 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 63; nays, 22; not voting, 13.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Blair, Boldt, Burns, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Knowles, Kroidler, Leckenby, Lux, Lysen, Maxie, May, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Owen, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barr, Becker, Berentson, Bond, Chandler, Charette, Clayton, Conner, Craswell, Dunlap, Erak, Fancher, Gilleland, Hansen, Hurley M., Martinis, McCormick, Pardini, Patterson, Shinoda, Struthers, Zimmerman.

Not voting: Representatives Adams, Deccio, Eng, Flanagan, Haley, Kilbury, Lee, O'Brien, Oliver, Paris, Polk, Vrooman, Winsley.

Engrossed Substitute Senate Bill No. 2032 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.

## MESSAGE FROM THE SENATE

June 1, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2040, except the amendment to page 36, line 3, and asks the House to recede from the above amendment, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Hanna, the House receded from its amendment to page 36, line 3 of Engrossed Second Substitute Senate Bill No. 2040.

**FINAL PASSAGE OF SENATE BILL  
WITHOUT HOUSE AMENDMENT**

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 2040 without the House amendment to page 36, line 3.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2040 without the House amendment to page 36, line 3, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kroidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Owen, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Berentson, Deccio, Eng, Flanagan, Gaines, Haley, Kilbury, Lee, O'Brien, Oliver, Paris, Polk, Warnke, and Mr. Speaker.

Engrossed Second Substitute Senate Bill No. 2040 without one 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.

## MESSAGE FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, revising laws on ethics and disclosure, have had the same under consideration, and we recommend that the House amendment on page 8, line 2 of the bill not be adopted, and the bill be amended as follows:

On page 8, after line 1 strike all of section 7 and insert the following:

\*Sec. 7. Section 37, chapter 1, Laws of 1973 as amended by section 25, Laws of 1975 1st ex. sess. and RCW 42.17.370 are each amended to read as follows:

The commission is empowered to:

(1) Adopt, promulgate, amend, and rescind suitable administrative rules and regulations to carry out the policies and purposes of this chapter, which rules and regulations shall be promulgated pursuant to the provisions of chapter 34.04 RCW;

(2) Prepare and publish such reports and technical studies as in its judgment will tend to promote the purposes of this chapter, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this chapter;

(3) Make from time to time, on its own motion, audits and field investigations;

(4) Make public the time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

(5) Administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence and require the production of any books, papers, correspondence, memorandums, or other records which the commission deems relevant or material for the purpose of any investigation authorized under this chapter, or any other proceeding under this chapter;

(6) Adopt and promulgate a code of fair campaign practices;

(7) Relieve, by published regulation of general applicability, candidates or political committees of obligations to comply with the provisions of this chapter relating to election campaigns, if they have not received contributions nor made expenditures in connection with any election campaign of more than one thousand dollars; and

(8) Enact regulations prescribing reasonable requirements for keeping accounts of and reporting on a quarterly basis costs incurred by state agencies, counties, cities, and other municipalities and political subdivisions in preparing, publishing, and distributing legislative information. The term "legislative information", for the purposes of this subsection, means books, pamphlets, reports, and other materials prepared, published, or distributed at substantial cost, a substantial purpose of which is to influence the passage or defeat of any legislation. The state auditor in his regular examination of each agency under chapter 43.09 RCW shall review such regulations, accounts, and reports and make appropriate findings, comments, and recommendations in his examination reports concerning those agencies.

(9) The commission, after hearing, by order approved and ratified by a majority of the membership of the commission, may suspend or modify any of the reporting requirements hereunder in a particular case if it finds that literal application of this chapter works a manifestly unreasonable hardship and if it also finds that such suspension or modification will not frustrate the purposes of the chapter. The commission shall find that a manifestly unreasonable hardship exists if reporting the name of an entity required to be reported under RCW 42.17.240(1)(g)(ii) would be likely to adversely affect the competitive position of any entity in which the person filing the report or any member of his immediate family holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more. Any ((such)) suspension or modification shall be only to the extent necessary to substantially relieve the hardship. The commission shall act to suspend or modify any reporting requirements only if it determines that facts exist that are clear and convincing proof of the findings required hereunder. Any citizen shall have standing to bring an action in Thurston county superior court to contest the propriety of any order entered hereunder within one year from the date of the entry of such order."

In line 5 of the title, after "42.17.090;" insert "amending section 37, chapter 1, Laws of 1973 as amended by section 25, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.370;"

Signed by Senators Grant, Goltz, Bluechel; Representatives Nelson (Dick), Fuller, Heck.

## MOTION

On motion of Mr. Ehlers, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 2877.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2877 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2877 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 84; nays, 2; not voting, 12.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Grimm, Walk.

Not voting: Representatives Adams, Deccio, Eng, Flanagan, Fortson, Haley, Kilbury, Kreidler, Lee, Martinis, O'Brien, Paris.

Engrossed Substitute Senate Bill No. 2877 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.

MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 68, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Committee report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

June 1, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 68, expanding the cemetery board and providing for its abolition in 1979, have had the same under consideration, and we recommend that the Senate amendment striking everything after the enacting clause and the title amendment not be adopted, and the following substitute amendments be adopted:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 31, chapter 290, Laws of 1953 and RCW 68.05.040 are each amended to read as follows:

A cemetery board is created to consist of ((five)) six members to be appointed by the governor. The first five members shall be appointed within thirty days after June 11, 1953. The terms of the five members first appointed shall expire: One, January 15, 1954; one, January 15, 1955; one, January 15, 1956; and two, January 15, 1957. Thereafter appointments shall be for a four year term. The sixth member shall be appointed within thirty days of the effective date of this 1977 amendatory act, and shall serve a four year term.

Sec. 2. Section 32, chapter 290, Laws of 1953 and RCW 68.05.050 are each amended to read as follows:

Three members of the board shall be ((appointed-only-from)) persons who have had ((; immediately preceding their appointment;)) a minimum of five ((consecutive)) years experience in this state in the active administrative management of a cemetery corporation or as a member of the board of directors thereof for this period ((and shall at the time of their appointment, have the actual and full authority of a president; general manager, or executive vice president, but they shall hold office only so long as they continue in such active, actual, and authoritative capacity. The five year consecutive period shall be exclusive of time spent in the armed services)). Two members of the board shall be persons who have legal, accounting, or other professional experience which relates to the duties of the board. The sixth member of the board shall represent the general public and shall not have a financial interest in the cemetery business.

Sec. 3. Section 40, chapter 290, Laws of 1953 as amended by section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180 are each amended to read as follows:



Each cemetery authority in charge of cemetery endowment care funds shall file with the board annually, on or before the thirtieth day of June, a written report in form prescribed by the board setting forth:

(1) The number of square feet of grave space and the number of crypts and niches sold or disposed of under endowment care:

(a) From June 12, 1943, to the first day of January of the year preceding the filing of this report.

(b) From the first day of January through the thirty-first day of December of the preceding year.

(2) The amount collected and deposited in both the general and special endowment care funds:

(a) Prior to June 12, 1943.

(b) From June 12, 1943, to the first day of January preceding the filing of this report.

(c) From the first day of January through the thirty-first day of December of the preceding year segregated as to the amounts deposited for crypts, niches, and grave space.

(3) A statement showing the total amount of the general and special endowment care funds invested in each of the investments authorized by law and the amount of cash on hand not invested, which statement shall show the actual financial condition of the funds.

(4) A statement showing the information required to be filed pursuant to RCW 68.46.090.

These reports shall be verified by the president or vice president (~~and~~), one other officer of the cemetery authority (~~and shall be certified by~~), the accountant or auditor preparing the same, and a certified public accountant in accordance with generally accepted auditing standards.

Sec. 4. Section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230 are each amended to read as follows:

Every cemetery authority shall pay for each cemetery operated by it, an annual regulatory charge to be fixed by the board, based on the number of interments, entombments, and inurnments made during the preceding full calendar year, but not exceeding (~~twenty-five~~) one hundred dollars for one hundred or less, (~~fifty~~) two hundred dollars for one hundred one to three hundred fifty, (~~seventy-five~~) three hundred dollars for three hundred fifty-one to seven hundred, (~~one~~) five hundred dollars for seven hundred one or more; plus an additional charge of not more than (~~fifty cents~~) one dollar per interment, entombment, and inurnment made during the preceding full calendar year, which charges shall be deposited in the cemetery account. Upon payment of said charges and compliance with the provisions of Title 68 RCW and the lawful orders, rules, and regulations of the board, the board will issue a certificate of authority.

Sec. 5. Section 9, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.090 are each amended to read as follows:

Any cemetery authority selling prearrangement merchandise or other prearrangement services shall file in its office or offices and with the cemetery board a written report upon forms prepared by the cemetery board which shall state the amount of the principle of the prearrangement trust fund or funds, the depository of such fund or funds, and cash on hand which is or may be due to such fund as well as such other information the board may deem appropriate. All information appearing on such written reports shall be revised at least annually and shall be verified by the president, (~~and~~) the secretary or auditor preparing the same, and a certified public accountant in accordance with generally accepted auditing standards.

NEW SECTION. Sec. 6. There is added to chapter 68.46 RCW a new section to read as follows:

The provisions of this chapter do not apply to any of the following: Any religious corporation, church, coroner, religious society or denomination, a corporation sole administering temporalities of any church or religious society or denomination, or any cemetery organized, controlled, and operated by any of them, any county, town, or city cemetery.

NEW SECTION. Sec. 7. If any provision of this 1977 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 the title, strike everything after "AN ACT" and insert "Relating to cemeteries; amending section 31, chapter 290, Laws of 1953 and RCW 68.05.040; amending section 32, chapter 290, Laws of 1953 and RCW 68.05.050; amending section 40, chapter 290, Laws of 1953 as amended by section 16, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.05.180; amending section 51, chapter 290, Laws of 1953 as amended by section 4, chapter 99, Laws of 1969 ex. sess. and RCW 68.05.230; amending section 9, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.090; and adding a new section to chapter 68.46 RCW."

Signed by Senators Day, Newschwander; Representatives Ehlers, Charette, Nelson (Gary).

#### MOTION

On motion of Mr. Ehlers, the House adopted the report of the Free Conference Committee on Engrossed Substitute House Bill No. 68.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 68 as amended by the Free Conference Committee.

Representatives Charette and Nelson (Gary) spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Ehlers, one of the protections for the public in this bill is a certified public accountant's statement. Is it the intent of this legislation that certified public accountants can throw the usual disclaimer into that statement, saying they really don't know what's in this?"

Mr. Ehlers: "That's not my understanding. No, Representative Pardini."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 68 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charney, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Adams, Deccio, Eng, Flanagan, Gaines, Haley, Kilbury, Lee, Martinis, O'Brien, Paris, Winsley, and Mr. Speaker.

Engrossed Substitute House Bill No. 68 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.

## MESSAGE FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 183, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Committee report thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 7, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 183, relating to disabled, guardianship proceedings, have had the same under consideration, and we recommend that the Senate amendments not be adopted and the bill be amended to read as follows:

"AN ACT Relating to guardianship; amending section 1, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.005; amending section 11.88.010, chapter 145, Laws of 1965 as amended by section 2, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.010; amending section 11.88.030, chapter 145, Laws of 1965 as amended by section 4, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.030; amending section 11.88.040, chapter 145, Laws of 1965 as last amended by section 5, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.040; amending section 7, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.045; amending section 11.88.090, chapter 145, Laws of 1965 as amended by section 9, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.090; amending section 11.88.100, chapter 145, Laws of 1965 as amended by section 10, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.100; amending section 11.88.107, chapter 145, Laws of 1965 as amended by section 12, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.107; amending section 11.88.120, chapter 145, Laws of 1965 as amended by section 14, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.120; amending section 6, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.125; amending section 11.88.140, chapter 145, Laws of 1965 as amended by section 16, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.140; amending section 11.88.150, chapter 145, Laws of 1965 as amended by section 17, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.150; amending section 11.92.040, chapter 145, Laws of 1965 as amended by section 20, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.92.040; amending section 11.92.125, chapter 145, Laws of 1965 and RCW 11.92.125; amending section 11.92.170, chapter 145, Laws of 1965 as amended by section 32, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.92.170; adding a

new section to chapter 11.92 RCW; and repealing section 8, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.035.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:**

Section 1, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.005 are each amended to read as follows:

It is the intent and purpose of the legislature to recognize that (~~mentally retarded, developmentally disabled, and other allegedly mentally incompetent~~) disabled persons have special and unique abilities and competencies with varying degrees of disability.

Such persons must be legally protected without the necessity for determination of total incompetency and without the attendant deprivation of civil and legal rights that such a determination requires.

Sec. 2. Section 11.88.010, chapter 145, Laws of 1965 as amended by section 2, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.010 are each amended to read as follows:

(1) The superior court of each county shall have power to appoint guardians for the persons and estates, or either thereof, of incompetent persons (~~(resident of the county)~~), and guardians for the estates of all such persons who are nonresidents of the state but who have property in such county needing care and attention.

An 'incompetent' is any person who is either:

(a) Under the age of majority, as defined in RCW 11.92.010, or

(b) Incompetent by reason of (~~(insanity)~~) mental illness, (~~(mental retardation)~~) developmental disability, senility, habitual drunkenness, excessive use of drugs, or other mental incapacity, of either managing his property or caring for himself or both.

(2) The superior court for each county shall have power to appoint limited guardians for the persons and estates, or either thereof, of disabled persons, who by reason of their disability have need for protection and assistance, but who cannot be found to be fully incompetent, upon investigation (~~(by the court or any agency jointly designated by the mental health board and mental retardation board (or county social service administrative board where applicable) of the county where such person resides)~~) as provided by RCW 11.88.090 as now or hereafter amended. After considering all evidence presented as a result of such investigation, the court shall impose, by order, only such specific limitations and disabilities on a disabled person to be placed under a limited guardianship as the court finds necessary for such person's protection and assistance. A person shall not be presumed to be incompetent nor shall a person lose any legal rights or suffer any legal disabilities as the result of being placed under a limited guardianship, except as to those rights and disabilities specifically set forth in the court order establishing such a limited guardianship. In addition, the court order shall state the period of time for which it shall be applicable.

For the purposes of chapters 11.88 and 11.92 RCW the term 'disabled person' (~~(includes, but is not limited to, an individual who is mentally retarded, mentally ill, developmentally disabled, or is gravely disabled)~~) means an individual who is in need of protection and assistance by reason of mental illness, developmental disability, senility, habitual drunkenness, excessive use of drugs, or other mental incapacity, but cannot be found to be fully incompetent.

(3) Venue for petitions for guardianship or limited guardianship shall lie in the county wherein the alleged incompetent or disabled person is domiciled, or if such person is a resident of a state institution for developmentally disabled persons, in either the county wherein such institution is located, the county of domicile, or the county wherein a parent of the alleged incompetent or disabled person is domiciled.

Sec. 3. Section 11.88.030, chapter 145, Laws of 1965 as amended by section 4, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.030 are each amended to read as follows:

(1) Any interested person or entity may file a petition for the appointment of himself or some other qualified person, trust company, national bank, or nonprofit corporation authorized in RCW 11.88.020 as now or hereafter amended as the guardian or limited guardian of an incompetent or disabled person. A petition for guardianship or limited guardianship shall state:

((+)) (a) The name, age, residence, and post office address of the incompetent or disabled person;

((+)) (b) The nature of his alleged incompetency in accordance with RCW 11.88.010;

((+)) (c) The approximate value and description of his property, including any compensation, pension, insurance, or allowance to which he may be entitled;

((+)) (d) Whether there is, in any state, a guardian or limited guardian for the person or estate of the alleged incompetent or disabled person;

((+)) (e) The residence and post office address of the person whom petitioner asks to be appointed guardian or limited guardian;

((+)) (f) The names and addresses, and nature of the relationship, so far as known or can be reasonably ascertained, of the persons most closely related by blood or marriage to the alleged incompetent or disabled person;

((+)) (g) The name and address of the person or institution having the care and custody of the alleged incompetent or disabled person;

((+)) (h) The reason why the appointment of a guardian or limited guardian is sought and the interest of the petitioner in the appointment, and whether the appointment is sought as guardian or limited guardian of the person, the estate, or both;

((+)) (i) The nature and degree of the alleged disability and the specific areas of protection and assistance requested and the limitation of rights requested to be included in the court's order of appointment;

((+)) (j) The requested term of the limited guardianship to be included in the court's order of appointment(~~(-PROVIDED, That)~~).

(2) No filing fee shall be charged by the court for filing either a petition for guardianship or a petition for limited guardianship (~~(unless)~~) if the petition alleges that the alleged incompetent or disabled person has ~~((an estate valued in excess of fifteen hundred))~~ total assets of a value of less than three thousand dollars.

(3) All petitions filed under the provisions of this section shall be heard within ~~((thirty))~~ forty-five days unless an extension of time is requested by a party within such forty-five day period and granted for good cause shown.

Sec. 4. Section 11.88.040, chapter 145, Laws of 1965 as last amended by section 5, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.040 are each amended to read as follows:

Before appointing a guardian or a limited guardian, notice of a hearing, to be held not less than ten days after service thereof, shall be given personally to the alleged incompetent or disabled person, if over fourteen years of age.

Before appointing a guardian or a limited guardian, notice of a hearing, to be held not less than ten days after service thereof, shall be given by registered or certified mail requesting a return receipt signed by the addressee only, or by personal service in the manner provided for services of summons, to the following:

(1) The alleged incompetent, disabled person, or minor, if under fourteen years of age;

(2) A parent, if the alleged incompetent or disabled person is a minor, and the spouse of the alleged incompetent or disabled person if any;

(3) Any other person who has been appointed as guardian or limited guardian, or the person with whom the alleged incompetent or disabled person resides. No notice need be given to those persons named in subsections (2) and (3) of this section if they have signed the petition for the appointment of the guardian or limited guardian or have waived notice of the hearing. If the petition is by a parent asking for his appointment as guardian or limited guardian of a minor child under the age of fourteen years, or if the petition be accompanied by the written consent of a minor of the age of fourteen years or upward, consenting to the appointment of the guardian or limited guardian asked for, or if the petition be by a nonresident guardian of any minor or incompetent or disabled person, then the court may appoint the guardian without notice of the hearing. The court for good cause may reduce the number of days of notice, but in every case, at least three days notice shall be given.

~~((In all guardianship and limited guardianship hearings))~~ The alleged incompetent or disabled person shall be present in court at the final hearing on the petition ~~((If the petition for guardianship or limited guardianship states that the alleged incompetent or disabled person is physically unable to be present, the guardian ad litem may request the court to waive the requirement of the presence of the alleged incompetent at the hearing))~~: PROVIDED, That this requirement may be waived at the discretion of the court for good cause shown in the report to be provided by the guardian ad litem pursuant to RCW 11.88.090 as now or hereafter amended, or if no guardian ad litem is required to be appointed pursuant to RCW 11.88.090, as now or hereafter amended, at the discretion of the court for good cause shown by a party. Alternatively, the court may remove itself to the place of residence of the alleged incompetent or disabled person and conduct the final hearing in the presence of the alleged incompetent or disabled person. Final hearings on the petition may be held in closed court without admittance of any person other than those necessary to the action or proceeding.

If presence of the alleged incompetent or disabled person is waived and the court does not remove itself to the place of residence of such person, the guardian ad litem shall appear in person at the final hearing on the petition.

Sec. 5. Section 7, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.045 are each amended to read as follows:

(1) An alleged incompetent or disabled person is entitled to independent legal counsel at his own expense to represent him in the procedure: PROVIDED, That if the alleged incompetent or disabled person is unable to pay for such representation or should such payment result in substantial hardship upon such person the county shall be responsible for such costs; PROVIDED FURTHER, That when, in the opinion of the court, the rights and interests of an alleged or adjudicated incompetent or disabled person cannot otherwise be adequately protected and represented, the court on its own motion shall appoint an attorney at any time to represent such person.

(2) The alleged incompetent or disabled person is further entitled upon request to a jury trial on the issues of his alleged incompetency or disability ~~((with))~~. The standard of proof to be applied ~~((being))~~ in a contested case, whether before a jury or the court, shall be that of clear, cogent, and convincing evidence.

(3) In all proceedings for appointment of a guardian or limited guardian, the court must be presented with a ~~((sworn))~~ medical report in writing from a physician selected by the guardian ad litem appointed pursuant to RCW 11.88.090 as now or hereafter amended pertaining to the alleged incompetent or disabled persons' degree of incompetency or disability ~~((PROVIDED, That the court may waive the filing of a sworn medical report))~~ including the medical history if reasonably available, the effects of any current medication on appearance or the ability to participate fully in the proceedings, and a medical prognosis specifying the estimated length and severity of any current disability.

Sec. 6. Section 11.88.090, chapter 145, Laws of 1965 as amended by section 9, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.090 are each amended to read as follows:

(1) Nothing contained in RCW 11.88.080 through 11.88.120, 11.92.010 through 11.92.040, 11.92.060 through 11.92.120, 11.92.170, and 11.92.180, as now or hereafter amended, shall affect or impair the power of any court to appoint a guardian to defend the interests of any incompetent or disabled person interested in any suit or matter pending therein, or to commence and prosecute any suit in his behalf.

(2) Upon receipt of a petition for appointment of guardian or limited guardian, except as provided herein, the court shall appoint a guardian ad litem to represent the best interests of the alleged incompetent or disabled person, who ((may)) shall be a person ((recommended by either the local mental health board or mental retardation board (or county social service administrative board where applicable), to represent the interests of the alleged incompetent or disabled person in response to any petition for guardianship or limited guardianship)) found or known by the court to

(a) be free of influence from anyone interested in the result of the proceeding;

(b) have the requisite knowledge, training, or expertise to perform the duties required by this section.

In making this determination the court shall give due consideration to the type of incompetency or disability alleged and to any recommendations made to the court by public or private agencies having appropriate experience or expertise: PROVIDED, That no guardian ad litem need be appointed if a parent is petitioning for a guardian or a limited guardian to be appointed for his or her minor child if the minority of the child, as defined by RCW 11.92.010, is the sole basis of the petition. The order appointing the guardian ad litem shall recite the duties set forth in subsection (3) of this section. The appointment of a guardian ad litem shall have no effect on the legal competency of the alleged incompetent or disabled person and such appointment shall not overcome the presumption of competency or full legal and civil rights of the alleged incompetent or disabled person.

(3) The guardian ad litem appointed pursuant to this section shall have the following duties:

(a) To meet and consult with the alleged incompetent or disabled person as soon as practicable following appointment and explain, in language which such person can reasonably be expected to understand, the substance of the petition, the nature of the resultant proceedings, the person's right to contest the petition, the identification of the proposed guardian or limited guardian, the right to a jury trial on the issue of his alleged incompetency or disability, the right to independent legal counsel as provided by RCW 11.88.045, and the right to be present in court at the hearing on the petition;

(b) To provide the court with a written report which shall include the following:

(i) A description of the degree of incompetency or disability;

(ii) An evaluation of the appropriateness of the guardian or limited guardian whose appointment is sought;

(iii) In the event the limited guardianship is ordered, its appropriate duration, and the limits and disabilities to be placed on the disabled person; and

(iv) Any expression of approval or disapproval made by the alleged incompetent or disabled person concerning the proposed guardian or limited guardian or guardianship or limited guardianship.

Such report shall also include a recommendation as to whether or not counsel should be appointed to represent the alleged incompetent or disabled person, and the reasons for such recommendation.

The investigation and report shall be made and forwarded to the court, with copies to the alleged incompetent or disabled person, and his attorney, if any has appeared, and to the petitioner, or his attorney within twenty days after appointment, unless an extension of time has been granted by the court for good cause shown;

(c) To arrange for a written medical report pursuant to RCW 11.88.045 as now or hereafter amended.

(4) If the petition is brought by an interested person or entity requesting the appointment of some other qualified person or entity and a prospective guardian or limited guardian cannot be found, the court shall order the guardian ad litem and any other qualified person or organization to investigate the availability of a possible guardian or limited guardian and to include the findings in a report to the court pursuant to RCW 11.88.090(3)(b) as now or hereafter amended.

(5) The court appointed guardian ad litem shall have the authority, in the event that the alleged incompetent or disabled person is in need of emergency ((and)) life-saving medical services, and is unable to consent to such medical services due to ((incapacity)) incompetence or disability pending the hearing on the petition to give consent for such emergency ((and)) life-saving medical services on behalf of the alleged incompetent or disabled person.

(6) The guardian ad litem shall receive a fee determined by the court. The fee shall be charged to the alleged incompetent or disabled person unless the court finds that such payment would result in substantial hardship upon such person, in which case the county shall be responsible for such costs: PROVIDED, That if no guardian or limited guardian is appointed the court may charge such fee to the petitioner or the alleged incompetent or disabled person, or divide the fee, as it deems just; and if the petition is found to be frivolous or not brought in good faith, the guardian ad litem fee shall be charged to the petitioner. The court shall not be required to provide for the payment of a fee to any salaried employee of a public or nonprofit agency.

Sec. 7. Section 11.88.100, chapter 145, Laws of 1965 as amended by section 10, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.100 are each amended to read as follows:

Before letters of guardianship are issued, each guardian or limited guardian shall take and subscribe an oath and, unless dispensed with by order of the court as provided in RCW 11.88.105, file a bond, with sureties to be approved by the court, payable to the state, in such sum as the court may fix, taking into account the character of the assets on hand or anticipated and the income to be received and disbursements to be made, and such bond shall be conditioned substantially as follows:

The condition of this obligation is such, that if the above bound A.B., who has been appointed guardian or limited guardian for C.D., shall faithfully discharge the office and trust of such guardian or limited guardian according to law and shall render a fair and just account of his guardianship or limited guardianship to the superior court of the county of . . . . ., from time to time as he shall thereto be required by such court, and comply with all orders of the court, lawfully made, relative to the goods, chattels, moneys,

care, management, and education of such incompetent or disabled person, or his or her property, and render and pay to such incompetent or disabled person all moneys, goods, chattels, title papers, and effects which may come into the hands or possession of such guardian or limited guardian, at such time and in such manner as the court may order or adjudge, then this obligation shall be void, otherwise to be and remain in full force and effect.

The bond shall be for the use of the incompetent or disabled person, and shall not become void upon the first recovery, but may be put in suit from time to time against all or any one of the obligors, in the name and for the use and benefit of any person entitled by the breach thereof, until the whole penalty is recovered thereon. The court may require an additional bond whenever for any reason it appears to the court that an additional bond should be given.

In all guardianships or limited guardianships of the person, and in all guardianship or limited guardianships of the estate, in which the ~~((inventory filed with the court shows))~~ petition alleges that the alleged incompetent or disabled person has total ((accumulated)) assets of a value of less than ((fifteen hundred)) three thousand dollars, the court may dispense with the requirement of a bond pending filing of an inventory confirming that the estate has total assets of less than three thousand dollars: PROVIDED, That the guardian or limited guardian shall swear to report to the court any changes in the ((accumulated)) total assets of the incompetent or disabled person increasing their value to over ((fifteen hundred)) three thousand dollars: PROVIDED FURTHER, That said guardian or limited guardian shall file a yearly statement showing the monthly income of the incompetent or disabled person if said monthly income is over the sum of two hundred fifty dollars per month for any three consecutive months.

Sec. 8. Section 11.88.107, chapter 145, Laws of 1965 as amended by section 12, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.107 are each amended to read as follows:

In all cases where a bank or trust company, authorized to act as guardian or limited guardian, or where a nonprofit corporation is authorized under its articles of incorporation to act as guardian or limited guardian, is appointed as guardian or limited guardian, or acts as guardian or limited guardian under an appointment as such heretofore made, no bond shall be required: PROVIDED, That in the case of appointment of a nonprofit corporation court approval shall be required before any bond requirement of this chapter may be dispensed with.

Sec. 9. Section 11.88.120, chapter 145, Laws of 1965 as amended by section 14, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.120 are each amended to read as follows:

The court in all cases shall have power to remove guardians or limited guardians for good and sufficient reasons, which shall be entered of record, and to appoint others in their place or in the place of those who may die, who shall give bond and security for the faithful discharge of their duties as prescribed in RCW 11.88.100 as now or hereafter amended; and when any guardian or limited guardian shall be removed or die, and a successor be appointed, the court shall have power to compel such guardian or limited guardian removed to deliver up to such successor all goods, chattels, moneys, title papers, or other effects belonging to such incompetent or disabled person, which may be in the possession of such guardian or limited guardian so removed, or of the personal representatives of a deceased guardian or limited guardian, or in the possession of any other person or persons, or in the possession of a stand-by guardian or limited guardian and upon failure, to commit the party offending to prison, until he complies with the order of the court.

Sec. 10. Section 6, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.125 are each amended to read as follows:

The person appointed by the court as either guardian or limited guardian of the person and/or estate of an incompetent or disabled person, shall file in writing with the court, a designated stand-by limited guardian or guardian to serve as limited guardian or guardian at the death or legal incompetency or disability of the court-appointed guardian or limited guardian. Such stand-by guardian or limited guardian shall have all the powers, duties, and obligations of the regularly appointed guardian or limited guardian and in addition shall, within a period of thirty days from the death or adjudication of incompetency or disability of the regularly appointed guardian or limited guardian, file with the superior court in the county in which the ~~((original))~~ guardianship or limited guardianship ~~((was filed))~~ is then being administered, a petition for appointment of a substitute guardian or limited guardian. Upon the court's appointment of a new, substitute guardian or limited guardian, the stand-by guardian or limited guardian shall make an accounting and report to be approved by the court, and upon approval of the court, the stand-by guardian or limited guardian shall be released from all duties and obligations arising from or out of the guardianship or limited guardianship.

Letters of guardianship shall be issued to the stand-by guardian or limited guardian upon filing an oath and posting a bond as required by RCW 11.88.100 as now or hereafter amended. The oath may be filed prior to the appointed guardian or limited guardian's death. The provisions of RCW 11.88.100 through 11.88.110 as now or hereafter amended shall apply to stand-by guardians and limited guardians.

Sec. 11. Section 11.88.140, chapter 145, Laws of 1965 as amended by section 16, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.140 are each amended to read as follows:

(1) TERMINATION WITHOUT COURT ORDER. A guardianship or limited guardianship is terminated:

(a) Upon the attainment of full and legal age, as defined in RCW 11.92.010 as now or hereafter amended, of any person defined as an incompetent or disabled person pursuant to RCW 11.88.010 as now or hereafter amended solely by reason of youth, RCW 26.28.020 to the contrary notwithstanding((:));

(b) By an adjudication of competency((:)) or an adjudication of termination of disability;

(c) By the death of the incompetent or disabled person;

(d) By expiration of the term of limited guardianship specified in the order appointing the limited guardian, unless prior to such expiration a petition has been filed and served, as provided in RCW 11.88.040 as now or hereafter amended, seeking an extension of such term.

(2) **TERMINATION ON COURT ORDER.** A guardianship or limited guardianship may be terminated by court order after such notice as the court may require:

(a) If the guardianship or limited guardianship is of the estate and the estate is exhausted;

(b) If the guardianship or limited guardianship is no longer necessary for any other reason.

(3) **EFFECT OF TERMINATION.** When a guardianship or limited guardianship terminates otherwise than by the death of the incompetent or disabled person, the powers of the guardian or limited guardian cease, except that a guardian or limited guardian of the estate may make disbursements for claims that are or may be allowed by the court, for liabilities already properly incurred for the estate or for the incompetent or disabled person, and for expenses of administration. When a guardianship or limited guardianship terminates by death of the incompetent or disabled person, the guardian or limited guardian of the estate may proceed under RCW 11.88.150 as now or hereafter amended, but the rights of all creditors against the incompetent's or disabled person's estate shall be determined by the law of decedent's estates.

Sec. 12. Section 11.88.150, chapter 145, Laws of 1965 as amended by section 17, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.150 are each amended to read as follows:

Upon the death of an incompetent or disabled person intestate the guardian or limited guardian of his estate has power under the letters issued to him and subject to the direction of the court to administer the estate as the estate of the deceased incompetent or disabled person without further letters unless within forty days after death of the incompetent or disabled person a petition is filed for letters of administration or for letters testamentary and the petition is granted. If the guardian or limited guardian elects to administer the estate under his letters of guardianship or limited guardianship, he shall petition the court for an order transferring the guardianship or limited guardianship proceeding to a probate proceeding, and upon court approval, the clerk of the court shall re-index the cause as a decedent's estate, using the same file number which is assigned to the guardianship or limited guardianship proceeding. The guardian or limited guardian shall then be authorized to continue administration of the estate without the necessity for any further petition or hearing. Notice to creditors and other persons interested in the estate shall be published and may be combined with the notice of the guardian's or limited guardian's final account. This notice shall be published in the manner provided in RCW 11.40.010, once each week for three successive weeks, with proof by affidavit of the publication of such notice to be filed with the court. All claims which are not filed within four months after first publication or within four months after the date of filing of the copy of such notice to creditors with the clerk of the court, whichever is later, shall be barred against the estate. Upon the hearing, the account may be allowed and the balance distributed to the persons entitled thereto, after the payment of such claims as may be allowed. Liability on the guardian's or limited guardian's bond shall continue until exonerated on settlement of his account, and may apply to the complete administration of the estate of the deceased incompetent or disabled person with the consent of the surety. If letters of administration or letters testamentary are granted upon petition filed within forty days after the death of the incompetent or disabled person, the personal representative shall supersede the guardian or limited guardian in the administration of the estate and the estate shall be administered as a decedent's estate as provided in this title, including the publication of notice to creditors and other interested persons and the barring of creditors claims.

Sec. 13. Section 11.92.040, chapter 145, Laws of 1965 as amended by section 20, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.92.040 are each amended to read as follows:

It shall be the duty of the guardian (~~and~~) or limited guardian:

(1) To make out and file within three months after his appointment a verified inventory of all the property of the incompetent or disabled person which shall come to his possession or knowledge, including a statement of all encumbrances, liens, and other secured charges on any item((-));

(2) To file annually, within thirty days after the anniversary date of his appointment, and also within thirty days after termination of his appointment, a written verified account of his administration: **PROVIDED**, That the court in its discretion may allow such reports at intervals of up to thirty-six months, with instruction to the guardian or limited guardian that any substantial increase in income or assets or substantial change in the incompetent's or disabled person's condition shall be reported within thirty days of such substantial increase or change((-));

(3) Consistent with the powers granted by the court, if he is a guardian or limited guardian of the person, to care for and maintain the incompetent or disabled person, assert his or her rights and best interests, and provide timely informed consent to necessary medical procedures, and if the incompetent or disabled person is a minor, to see that the incompetent or disabled person is properly trained and educated and that the incompetent or disabled person has the opportunity to learn a trade, occupation, or profession. The guardian or limited guardian of the person may be required to report the condition of his incompetent or disabled person to the court, at regular intervals or otherwise as the court may direct((-): **PROVIDED**, That no guardian or limited guardian may involuntarily commit for mental health treatment, observation, or evaluation an alleged incompetent or disabled person who is, himself or herself, unable or unwilling to give informed consent to such commitment unless the procedures for involuntary commitment set forth in chapters 71.05 or 72.23 RCW are followed: **PROVIDED FURTHER**, That nothing in this section shall be construed to allow a guardian or limited guardian to consent to:

(a) Therapy or other procedure which induces convulsion;

(b) Surgery solely for the purpose of psychosurgery;

(c) Amputation;

(d) Other psychiatric or mental health procedures which are intrusive on the person's body integrity, physical freedom of movement, or the rights set forth in RCW 71.05.370.

A guardian or limited guardian who believes such procedures to be necessary for the proper care and maintenance of the incompetent or disabled person shall petition the court for an order unless the court has previously approved such procedure within thirty days immediately past. The court may make such order only after an attorney is appointed in accordance with RCW 11.88.045, as now or hereafter amended, if none has heretofore appeared, notice is given, and a hearing is held in accordance with RCW 11.88.040, as now or hereafter amended;

(4) If he is a guardian or limited guardian of the estate, to protect and preserve it, to apply it as provided in this chapter, to account for it faithfully, to perform all of the duties required of him by law, and at the termination of the guardianship or limited guardianship, to deliver the assets of the incompetent or disabled person to the persons entitled thereto. Except as provided to the contrary herein, the court may authorize a guardian or limited guardian to do anything that a trustee can do under the provisions of RCW 30.99.070 for ((periods)) a period not exceeding one year from the date of the order(;) or for a period corresponding to the interval in which the guardian's or limited guardian's report is required to be filed by the court pursuant to subsection (2) of this section, whichever period is longer;

(5) To invest and reinvest the property of the incompetent or disabled person in accordance with the rules applicable to investment of trust estates by trustees as provided in chapter 30.24 RCW, except that:

(a) No investments shall be made without prior order of the court in any property other than unconditional interest bearing obligations of this state or of the United States and in obligations the interest and principal of which are unconditionally guaranteed by the United States, and in share accounts or deposits which are insured by an agency of the United States government. Such prior order of the court may authorize specific investments, or, in the discretion of the court, may authorize the guardian or limited guardian during a period ((of)) not exceeding one year following the date of the order or for a period corresponding to the interval in which the guardian's or limited guardian's report is required to be filed by the court pursuant to subsection (2) of this section, whichever period is longer, to invest and reinvest as provided in chapter 30.24 RCW without further order of the court(;);

(b) If it is for the best interests of the incompetent or disabled person that a specific property be used by the incompetent or disabled person rather than sold and the proceeds invested, the court may so order(;);

(6) To apply to the court for an order authorizing any disbursement on behalf of the incompetent or disabled person ((; provided, however)): **PROVIDED, HOWEVER,** That guardian or limited guardian of the estate, or the person, department, bureau, agency, or charitable organization having the care and custody of an incompetent or disabled person, may apply to the court for an order directing the guardian or limited guardian of the estate to pay to the person, department, bureau, agency, or charitable organization having the care and custody of an incompetent or disabled person, or if the guardian or limited guardian of the estate has the care and custody of the incompetent or disabled person, directing the guardian or limited guardian of the estate to apply an amount weekly, monthly, quarterly, semi-annually, or annually, as the court may direct, to be expended in the care, maintenance, and education of the incompetent or disabled person and of his dependents. In proper cases, the court may order payment of amounts directly to the incompetent or disabled person for his maintenance or incidental expenses. The amounts authorized under this section may be decreased or increased from time to time by direction of the court. If payments are made to another under such order of the court, the guardian or limited guardian of the estate is not bound to see to the application thereof.

**NEW SECTION. Sec. 14.** There is added to chapter 11.92 RCW a new section to read as follows:

No residential treatment facility which provides nursing or other care may detain a person within such facility against their will. Any court order, other than an order issued in accordance with the involuntary treatment provisions of chapters 10.77, 71.05, and 72.23 RCW, which purports to authorize such involuntary detention or purports to authorize a guardian or limited guardian to consent to such involuntary detention on behalf of an incompetent or disabled person shall be void and of no force or effect.

Nothing in this section shall be construed to require a court order authorizing placement of an incompetent or disabled person in a residential treatment facility if such order is not otherwise required by law: **PROVIDED,** That notice of any residential placement of an incompetent or disabled person shall be served, either before or after placement, by the guardian or limited guardian on such person, the guardian ad litem of record, and any attorney of record.

**Sec. 15.** Section 11.92.125, chapter 145, Laws of 1965 and RCW 11.92.125 are each amended to read as follows:

In connection with the sale, exchange, mortgage, lease, or grant of easement or license in any property, the court may authorize the ((personal representative)) guardian or limited guardian to pay, out of the proceeds realized therefrom or out of the estate, the customary and reasonable auctioneer's and broker's fees and any necessary expenses for abstracting title insurance, survey, revenue stamps, and other necessary costs and expenses in connection therewith.

**Sec. 16.** Section 11.92.170, chapter 145, Laws of 1965 as amended by section 32, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.92.170 are each amended to read as follows:

Whenever it is made to appear that it would be in the best interests of the incompetent or disabled person, the court may order the transfer of property in this state to a guardian or limited guardian of the estate of the incompetent or disabled person appointed in another jurisdiction, or to a person or institution having similar authority with respect to the incompetent or disabled person.



**NEW SECTION.** Sec. 17. Section 8, chapter 95, Laws of 1975 1st ex. sess. and RCW 11.88.035 are each repealed.

**NEW SECTION.** Sec. 18. If any provision of this 1977 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."

Signed by Senators Marsh, Francis; Representatives Smith, Sherman, Winsley.

#### MOTION

On motion of Mr. Smith, the House adopted the report of the Free Conference Committee on Substitute House Bill No. 183.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bauer presiding) stated the question before the House to the final passage of Substitute House Bill No. 183 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 183 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Charette.

Not voting: Representatives Adams, Deccio, Eng, Flanagan, Gaines, Haley, Kilbury, McKibbin, O'Brien, Paris.

Substitute House Bill No. 183 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.

#### MESSAGE FROM THE SENATE

June 10, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 353, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Report, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 353, revising the provisions of the law of compensating victims of crimes, have had the same under consideration, and we recommend that the bill be amended to read as follows:

"AN ACT Relating to victims of crimes; amending section 1, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.010; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as amended by section 1, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.020; amending section 5, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.050; amending section 6, chapter 122, Laws of 1973 1st ex. sess. as amended by section 2, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.060; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.070; amending section 9, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.075; amending section 11, chapter 122, Laws of 1973 1st ex. sess. as amended by section 5, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.110; amending section 13, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.130; adding new sections to chapter 7.68 RCW; repealing section 4, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.040; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.010 are each amended to read as follows:

It is the intent of the legislature of the state of Washington to provide a method of compensating and assisting (~~(those residents of the state who are)~~) innocent victims of criminal acts (~~(and)~~) who suffer bodily injury or death as a consequence thereof. To that end, it is the intention of the legislature to make certain of the benefits and services which are now or hereafter available to injured workmen under Title 51 RCW also available to innocent victims of crime as defined and provided for in this chapter.

Sec. 2. Section 2, chapter 122, Laws of 1973 1st ex. sess. as amended by section 1, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter shall have the following meanings unless the context otherwise requires:

(1) 'Department' means the department of labor and industries.

(2) 'Criminal act' means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state: PROVIDED, That the operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless the injury or death was intentionally inflicted or the operation thereof was part of the commission of another criminal act as defined in this section: PROVIDED FURTHER: (a) That neither an acquittal in a criminal prosecution nor the absence of any such prosecution shall be admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding; (b) that evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter shall be admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; (c) that acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct shall be deemed to be criminal conduct within the meaning of this chapter.

(3) 'Victim' means a (~~(resident of the state)~~) person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' shall be interchangeable with 'employee' or 'workman' as defined in chapter 51.08 RCW as now or hereafter amended.

(4) 'Child', 'accredited school', 'dependent', 'beneficiary', 'average monthly wage', 'director', 'injury', 'invalid', 'permanent partial disability', and 'permanent total disability' shall have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

~~((6) 'Resident', for the purpose of eligibility for benefits under this chapter, means a person who has been in this state for thirty days or has clearly signified an intent to remain in this state for at least thirty days.))~~

Sec. 3. Section 5, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.050 are each amended to read as follows:

No right of action at law (~~(against a person who has committed a criminal act,))~~ for damages incurred as a consequence of (~~((such))~~) a criminal act (~~(:)~~) shall be lost as a consequence of (~~((receiving))~~) being entitled to benefits under the provisions of this chapter. In the event any person (~~(receiving))~~ entitled to benefits under this chapter additionally seeks a remedy for damages (~~(from the person or persons who have committed the criminal act resulting in damages))~~ incurred as a consequence of a criminal act, then and in that event the department shall be subrogated to the rights of such person and have a lien upon any recovery so made to the extent of the (~~((payments made))~~) benefits paid or payable by the department to or on behalf of such person under this chapter. If the recovery involved is against the state, the lien of the department shall include the interest on the benefits paid by the department to or on behalf of such person under this chapter computed at the rate of eight percent per annum from the date of payment.

Sec. 4. Section 6, chapter 122, Laws of 1973 1st ex. sess. as amended by section 2, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.060 are each amended to read as follows:

For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(1) An application for benefits is not received by the department within one (~~((hundred eighty days))~~) year after the date of the criminal act or (~~((one hundred twenty days after))~~) the date (~~((of death of the victim; or))~~) the rights of dependents or beneficiaries accrued, (~~((if such is the case,))~~) or

(2) The criminal act is not reported by the victim or someone on his behalf to a local police department or sheriff's office within seventy-two hours of its occurrence or, if it could not reasonably have been reported within that period, within seventy-two hours of the time when a report could reasonably have been made.

Sec. 5. Section 7, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, (~~((51.32.070))~~) 51.32.072, 51.32.073, 51.32.180, 51.32.190 and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation or incitement by the victim;

(b) The result of an act or acts committed by a person living in the same household with the victim;

(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption or marriage, or the parent of the spouse or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:

(i) The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart, and

(ii) The interests of justice require otherwise in the particular case;

(d) The result of the victim assisting, attempting, or committing a criminal act; or

(e) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That in the event the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses as provided in RCW 51.32.050 as now or hereafter amended and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits shall be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That in the event a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, such victim shall receive monthly during the period of such disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of such average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of such average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of such average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of such average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of such average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of such average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of such average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of such average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of such average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of such average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of such average monthly wage.

(1) If unmarried with five or more children at the time of the criminal act, forty-three percent of such average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: **PROVIDED**, That no person shall be eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended shall apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160 and 51.32.210 as now or hereafter amended shall be applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

Sec. 6. Section 9, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.075 are each amended to read as follows:

Notwithstanding the provisions of any of the sections, as now or hereafter amended, of Title 51 RCW which are made applicable to this chapter, the marital status of all victims shall be deemed to be fixed as of the date of the criminal act. All references to the child or children living or conceived of the victim in this chapter shall be deemed to refer to such child or children as of the date of the criminal act unless the context clearly indicates the contrary.

Payments for or on account of any such child or children shall cease when such child is no longer a 'child' as defined in RCW (~~51.32.005~~) 51.08.030, as now or hereafter amended, or on the death of any such child whichever occurs first.

Payments to the victim or surviving spouse for or on account of any such child or children shall be made only when the victim or surviving spouse has legal custody of any such child or children. Where the victim or surviving spouse does not have such legal custody any payments for or on account of any such child or children shall be made to the person having legal custody of such child or children and the amount of payments shall be subtracted from the payments which would have been due the victim or surviving spouse had legal custody not been transferred to another person.

Sec. 7. Section 11, chapter 122, Laws of 1973 1st ex. sess. as amended by section 5, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.110 are each amended to read as follows:

The provisions contained in chapter 51.52 RCW as now or hereafter amended relating to appeals shall govern appeals under this chapter: **PROVIDED**, That no provision contained in chapter 51.52 RCW concerning employers as parties to any settlement, appeal, or other action shall apply to this chapter: **PROVIDED FURTHER**, That appeals taken from a decision of the board of industrial insurance appeals under this chapter shall be governed by the provisions relating to judicial review of administrative decisions contained in RCW 34.04.130 and 34.04.140 as now or hereafter amended, and the department shall have the same right of review from a decision of the board of industrial insurance appeals as does the claimant.

Sec. 8. Section 13, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.130 are each amended to read as follows:

Benefits (~~(paid)~~) payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance, industrial insurance, or medical health or disability benefits available. Payment by the department under this chapter shall be secondary to such other insurance or benefits, notwithstanding the provision of any contract or coverage to the contrary: **PROVIDED**, That in the case of life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

**NEW SECTION.** Sec. 9. There is added to chapter 7.68 RCW a new section to read as follows:

Each law enforcement agency to which a criminal act has been reported and which criminal act results in physical injury or death to a victim shall make a reasonable effort to inform the known victim or his surviving dependent(s) of the existence of this chapter and the procedure for making application for benefits provided by this chapter: **PROVIDED**, That the failure to so act will not stay the operation of RCW 7.68.060.

**NEW SECTION.** Sec. 10. There is added to chapter 7.68 RCW a new section to read as follows:

(1) Whenever any person is found guilty in any court of competent jurisdiction of having committed an act prohibited under the provisions of Title 9A RCW as now or hereafter amended, which act involved a victim and is punishable as a felony or gross misdemeanor, there shall be imposed by the court upon such

convicted person a penalty assessment in the amount of twenty-five dollars or ten percent of any other penalty or fine, whichever is greater, which penalty assessment shall be in addition to any other penalty or fine imposed by law.

(2) Whenever any person accused of having committed a criminal act prohibited under the provisions of Title 9A RCW as now or hereafter amended, which act involved a victim and is punishable as a felony or gross misdemeanor, posts bail pursuant to the provisions of chapter 10.19 RCW, and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment of twenty-five dollars, in addition to any other penalty or fine imposed by law.

(3) Notwithstanding any other provision of law, such penalty assessments shall be paid by the clerk of the court to the city or county treasurer, as the case may be, who shall monthly transmit such penalty assessments to the state treasurer. The state treasurer shall deposit such assessments in an account within the state general fund to be known as the crime victims compensation account, hereby created, and all moneys derived from such assessments shall be used exclusively for the administration of this chapter.

**NEW SECTION.** Sec. 11. Section 4, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.040 are each repealed.

**NEW SECTION.** Sec. 12. There is added to chapter 7.68 RCW a new section to read as follows:

(1) If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances, is not affected.

(2) Subsection (1) of this section shall be effective retroactively to July 1, 1974.\*

Signed by Senators Francis, Bottiger; Representatives Smith, Newhouse, Knedlik.

#### MOTION

On motion of Mr. Smith, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 353 as amended by the Free Conference Committee.

Representatives Tilly, Douthwaite and Knedlik spoke in favor of passage of the bill, and Representatives Charette, Leckenby and Shinpoch spoke against it.

Mr. Tilly spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "Representative Charette, in looking over the Senate amendments and listening to Representative Tilly's argument, it's a little confusing. I have sympathy with your argument, but I would like you to prove to me, if possible, that the state has injured a considerable number of people and therefore these particular people who have been injured deserve the right to sue after previously receiving benefits from the state."

Mr. Charette: "Representative Hurley, I believe the final draft is contained in the Free Conference Committee report that you have on your desk. I'm really not being facetious, but it's impossible to answer that question."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 353 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 56; nays, 32; not voting, 10.

Voting yea: Representatives Barnes, Bauer, Bender, Berentson, Bond, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gallagher, Gilleland, Grier, Hansen, Hughes, Hurley G. S., Hurley M., King, Knedlik, Knowles, Lee, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., North, Oliver, Owen, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Smith, Sommers, Taller, Tilly, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Blair, Boldt, Chandler, Charette, Clayton, Craswell, Dunlap, Fancher, Greengo, Grimm, Gruger, Hanna, Hawkins, Heck, Keller, Kreidler, Leckenby, Lux, May, Pardini, Patterson, Shinoda, Shinpoch, Struthers, Thompson, Valle, Vrooman, Walk, Zimmerman.

Not voting: Representatives Adams, Deccio, Flanagan, Gaines, Haley, Kilbury, Newhouse, O'Brien, Paris, Pearsall.

Engrossed Substitute House Bill No. 353 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.

## MESSAGE FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2185, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 9, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2185, permitting aliens to teach in the common school system, have had the same under consideration, and we recommend that the House amendments be stricken, and the following amendments be adopted:

On page 1, line 11 after "law," insert "and"

On page 1, line 12 after "America" strike all the material down through "expired" on line 14 and insert "~~((and five years and six months have not expired since such declaration was made: PROVIDED FURTHER, That))~~ : PROVIDED FURTHER, That after a one year probationary period"

On page 1, line 15 after "district" insert "which employed such teacher on a permit"

On page 1, line 25 after "writing" strike all the material down through "instruction" on line 29 and insert "~~((that he is not a member of or affiliated with a communist or communist sponsored organization or a fascist or fascist sponsored organization. The form of such oath or affirmation shall be prepared by the superintendent of public instruction))~~ as follows: I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington; that I do not advocate the overthrow, destruction, or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them."

Signed by Senators McDermott, Hayner, Sandison; Representatives Eng, Bender, Schmitt.

## MOTION

Mr. Eng moved that the report of the Free Conference Committee be adopted.

Mr. Eng spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Pruitt.

Mr. Pruitt: "Representative Eng, in the loyalty oath, do present teachers of our schools have to take this oath or has this been declared unconstitutional?"

Mr. Eng: "My understanding is that it has been declared unconstitutional, but the reason for this loyalty oath in here in a simplified form, is that the Senate members of the Free Conference Committee felt that it still should be something they would prefer to have. The House members felt that if that's what they wanted, we'd give it to them."

## POINT OF INQUIRY

Mr. Eng yielded to question by Mrs. Fortson.

Mrs. Fortson: "In the proviso, it says, 'after a one year probationary period.' Is that an additional year? We already have a probationary period of one year."

Mr. Eng: "That's a compromise area, Representative Fortson. What happened was that the House members wanted to take out the five and one-half year requirement, and the Senate members wanted to compromise on it, so the compromise was the one year probationary period, but that's in the law already."

Mr. Schmitt spoke in favor of adoption of the Free Conference Committee report and Representatives Nelson (Dick) and Smith spoke against it.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "With reference to the question raised by Representatives Nelson and Smith, the alteration of the constitutional form of government, is it the committee's intent to consider alteration of the constitutional form of government the same as purporting to change

the Constitution? Or would it mean that we're throwing out the Constitutional form and going to something else entirely?"

Mr. Eng: "My understanding in relation to what we accepted was that this would be more of a radical change in relation to our form of government."

Representatives Douthwaite and Hawkins spoke against adoption of the Free Conference report, and Mr. Clemente spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 2185, and the motion was carried by the following vote: Yeas, 56; nays, 31; not voting, 11.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Bond, Chandler, Charette, Clayton, Clemente, Craswell, Enbody, Eng, Erak, Fischer, Fuller, Gallagher, Gilleland, Greengo, Grier, Heck, Hughes, Hurley M., Keller, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Pearsall, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Boldt, Burns, Charnley, Conner, Douthwaite, Dunlap, Ehlers, Erickson, Fancher, Fortson, Grimm, Gruger, Hanna, Hansen, Hawkins, Hurley G. S., King, Lux, Nelson D., North, Owen, Pruitt, Salatino, Sherman, Smith, Valle, Vrooman, Walk, Williams.

Not voting: Representatives Adams, Deccio, Flanagan, Gaines, Haley, Kilbury, Leckenby, Maxie, O'Brien, Paris, Tilly.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2185 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2185 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 59; nays, 29; not voting, 10.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Bond, Burns, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Enbody, Eng, Erak, Fischer, Fuller, Gallagher, Greengo, Grier, Gruger, Heck, Hughes, Hurley G. S., Hurley M., Keller, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Oliver, Pardini, Patterson, Pearsall, Pruitt, Sanders, Schmitt, Shinoda, Sommers, Struthers, Taller, Thompson, Tilly, Warnke, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Boldt, Charnley, Douthwaite, Dunlap, Ehlers, Erickson, Fancher, Fortson, Gilleland, Grimm, Hansen, Hawkins, King, Nelson D., Newhouse, North, Owen, Polk, Salatino, Sherman, Shinpoch, Smith, Valle, Vrooman, Walk, Williams, Wilson.

Not voting: Representatives Adams, Deccio, Flanagan, Gaines, Haley, Hanna, Kilbury, Leckenby, O'Brien, Paris.

Engrossed Senate Bill No. 2185 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.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. Bauer presiding) announced the Speaker was signing:

SUBSTITUTE HOUSE BILL NO. 105,  
SUBSTITUTE HOUSE BILL NO. 217,  
HOUSE BILL NO. 564,  
SUBSTITUTE HOUSE BILL NO. 656,  
SUBSTITUTE HOUSE BILL NO. 674,  
SUBSTITUTE HOUSE BILL NO. 743,  
SUBSTITUTE HOUSE BILL NO. 837,  
SECOND SUBSTITUTE HOUSE BILL NO. 874,  
SUBSTITUTE HOUSE BILL NO. 1184.

## MESSAGE FROM THE SENATE

June 11, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Walgren, Scott, Mardesich.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Shinpoch, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3110.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. Bauer presiding) appointed Representatives McKibbin, Warnke and Polk as conferees on Engrossed Substitute Senate Bill No. 3110.

## SENATE AMENDMENTS TO HOUSE BILL

June 10, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 581 with the following amendments:

On page 2, line 21 after "unless" strike the rest of the section and insert "all savings in the retail price of the prescription are passed to the purchaser. The savings shall be equal to the difference in acquisition costs of the prescribed product and the substituted product."

On page 2, line 25 after "mark-up." insert a new section as follows:

**\*NEW SECTION. Sec. 5.** A pharmacist may not substitute a product under the provisions of this section unless the manufacturer has shown that the drug has been manufactured with the following minimum good manufacturing standards and practices:

- (1) Maintain quality control standards equal to those of the Food and Drug Administration;
- (2) Comply with regulations promulgated by the Food and Drug Administration;
- (3) Mark products with identification code or monogram;
- (4) Label products with expiration date;
- (5) Provide reasonable services to accept return goods that have reached their expiration date;
- (6) Maintain twenty-four resources for product information;
- (7) Maintain recall capabilities for unsafe or defective drugs.\*

Renumber the remaining sections consecutively.

On page 3, line 9 after "act" and before the period insert ", including, but not limited to, a list of nontherapeutically equivalent drugs which, when adopted, shall be provided to all registered pharmacists in the state and shall be updated as necessary" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Kreidler, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 581.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 581 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 581 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Fischer, Salatino, and Mr. Speaker.

Not voting: Representatives Adams, Deccio, Flanagan, Gaines, Haley, Kilbury, O'Brien, Paris.



Engrossed Substitute House Bill No. 581 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

June 10, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 14, chapter 117, Laws of 1917 and RCW 90.03.110 are each amended to read as follows:

Upon the filing of a petition with the supervisor of water resources by one or more persons claiming the right to divert any waters within the state or when, after investigation, in the judgment of the supervisor, the interest of the public will be subserved by a determination of the rights thereto, it shall be the duty of the supervisor to prepare a statement of the facts, together with a plan or map of the locality under investigation, and file such statement and plan or map in the superior court of the county in which said water is situated, or, in case such water flows or is situated in more than one county, in the county which the supervisor shall determine to be the most convenient to the parties interested therein. Such statement shall contain substantially the following matter, to wit:

(1) The names of all known persons claiming the right to divert said water, the right to the diversion of which is sought to be determined, and

(2) A brief statement of the facts in relation to such water, and the necessity for a determination of the rights thereto.

The requirement for filing a lis pendens, for the purposes of the proceedings authorized by this section, shall be satisfied by a notice which sets forth only the general description, by map or appropriate legal description, of the water drainage or similar geographic area involved in the general determination of rights.

Sec. 2. Section 15, chapter 117, Laws of 1917 and RCW 90.03.120 are each amended to read as follows:

Upon the filing of the statement and map as provided in RCW 90.03.110 the judge of such superior court shall make an order directing summons to be issued, and fixing the return day thereof, which shall be not less than sixty nor more than ninety days, after the making of such order: PROVIDED, That for good cause, the court, at the request of the supervisor, may modify said time period. A summons shall thereupon be issued out of said superior court, signed and attested by the clerk thereof, in the name of the state of Washington, as plaintiff, against all known persons claiming the right to divert the water involved and also all persons unknown claiming the right to divert the water involved, which said summons shall contain a brief statement of the objects and purpose of the proceedings and shall require the defendants to appear on the return day thereof, and make and file a statement of claim to, or interest in, the water involved and a statement that unless they appear at the time and place fixed and assert such right, judgment will be entered determining their rights according to the evidence: PROVIDED, HOWEVER, That any persons claiming the right to the use of water by virtue of a contract with claimant to the right to divert the same, shall not be necessary parties to the proceeding.

Sec. 3. Section 16, chapter 117, Laws of 1917 as amended by section 1, chapter 122, Laws of 1929 and RCW 90.03.130 are each amended to read as follows:

Service of said summons shall be made in the same manner and with the same force and effect as service of summons in civil actions commenced in the superior courts of the state: PROVIDED, That for good cause, the court, at the request of the supervisor, may authorize service of summons to be made by registered mail as an alternative to personal service. If the defendants, or either of them, cannot be found within the state of Washington, of which the return of the sheriff of the county in which the proceeding is pending shall be prima facie evidence, upon the filing of an affidavit by the supervisor of water resources, or his attorney, in conformity with the statute relative to the service of summons by publication in civil actions, such service may be made by publication in a newspaper of general circulation printed and published at the county seat of the county in which such proceeding is pending, and also publication of said summons in a newspaper published at the county seat of each county in which any portion of the water is situated, once a week for six consecutive weeks (six publications), before the return day thereof. In cases where personal service can be had, such summons shall be served at least twenty days before the return day thereof.

Personal service of summons may be made by department of ecology employees for actions pertaining to water rights.

NEW SECTION. Sec. 4. This 1977 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."

In the title, strike everything after "rights;" in line 1 and insert "amending section 14, chapter 117, Laws of 1917 and RCW 90.03.110; amending section 15, chapter 117, Laws of 1917 and RCW 90.03.120; amending section 16, chapter 117, Laws of 1917 as amended by section 1, chapter 122, Laws of 1929 and RCW 90.03.130; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mrs. Valle, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1120, and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. Bauer presiding) appointed Representatives Newhouse, Charette and Valle as conferees on Engrossed Substitute House Bill No. 1120.

## SENATE AMENDMENTS TO HOUSE BILL

June 6, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1310 with the following amendments:

On page 4, line 32 after "department." strike all the matter down through "government." on line 36 and insert "With regard to a permit issued pursuant to subsection (11) of this section, the 'date of filing' shall mean the date a decision of the department is transmitted to the local government."

On page 5, beginning on line 26 strike all the matter down through page 6, line 8 and insert:

"~~((+10)) No permit shall be required for any development on shorelines of the state included within a preliminary or final plat approved by the applicable state agency or local government prior to April 1, 1971, if:~~

~~(a) The final plat was approved after April 13, 1961, or the preliminary plat was approved after April 30, 1969; or~~

~~(b) (i) Sales of lots to purchasers with reference to the plat, or substantial development incident to platting or required by the plat, occurred prior to April 1, 1971, and~~

~~(ii) The development to be made without a permit meets all requirements of the applicable state agency or local government, other than requirements imposed pursuant to this chapter, and~~

~~(iii) The development does not involve construction of buildings, or involves construction on wetlands of buildings to serve only as community social or recreational facilities for the use of owners of platted lots and the buildings do not exceed a height of thirty-five feet above average grade level; and~~

~~(iv) The development is completed within two years after the effective date of this chapter.))"~~

On page 6, line 9 strike "(11) and insert "(((+3))) (10)"

On page 6, line 18 strike "(12) and insert "(((+2))) (11)"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mrs. Valle, the House refused to concur in the Senate amendments to Substitute House Bill No. 1310, and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. Bauer presiding) appointed Representatives Valle, Douthwaite and Zimmerman as conferees on Substitute House Bill No. 1310.

## SENATE AMENDMENT TO HOUSE BILL

June 7, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1265 with the following amendment:

On page 1 strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. The state finance committee is hereby authorized to issue from time to time on behalf of the state, general obligation bonds of the state in the amount of sixty million dollars, or so much thereof as may be required to refund at or prior to maturity, all or some or any part of the various issues of outstanding limited obligation revenue bonds identified below, issued by various of the institutions of higher education, similarly identified:

(1) University of Washington general tuition fee revenue bonds, all series, aggregating \$28,850,000 in original principal amount;

(2) Washington State University general tuition fee revenue bonds and general tuition fee and scientific fund revenue bonds, all series, aggregating \$19,450,000 in original principal amount;

(3) Western Washington State College general tuition fee and normal school fund revenue bonds, all series, aggregating \$11,620,000 in original principal amount;

(4) Eastern Washington State College general tuition fee and normal school fund revenue bonds, all series, aggregating \$9,501,000 in original principal amount;

(5) Central Washington State College general tuition fee and normal school fund revenue bonds, all series, including refunding series, aggregating \$8,925,000 in original principal amount; and

(6) The Evergreen State College general tuition fee revenue bonds, all series, aggregating \$2,191,125 in original principal amount.

**NEW SECTION.** Sec. 2. The refunding authorized by this act is to be carried out primarily for the purpose of releasing for other needs of the state and its agencies the reserves presently required under existing covenants and statutes to secure payment of the various issues of the bonds to be refunded and, as such, is of substantial benefit to the state.

**NEW SECTION.** Sec. 3. Subject to the specific requirements of sections 1 through 15 of this act, such general obligation refunding bonds shall be issued and the refunding plan carried out in accordance with Article VIII, section 1, of the state Constitution, in accordance with chapter 39.42 RCW as presently in effect, and in accordance with the following sections of chapter 39.53 RCW as presently in effect, where applicable: RCW 39.53.010, 39.53.030, 39.53.060, 39.53.070, 39.53.100, and 39.53.110. The remainder of chapter 39.53 RCW shall not be applicable to the refunding authorized by this act.

In addition to the powers granted to the state finance committee in this subsection, said committee is hereby authorized (1) to determine the times and manner of redemption of the various bonds to be refunded, if any are to be redeemed prior to maturity; (2) to carry out all procedures necessary to accomplish the call for redemption and the subsequent redemption of the bonds to be refunded on behalf of the board of regents or the board of trustees, as the case may be, of each of the institutions which originally issued the bonds to be refunded; and (3) to determine the time, manner, and call premium, if any, for redemption of the refunding issue or issues, if any of the bonds of such issue are to be redeemed prior to maturity.

**NEW SECTION.** Sec. 4. The amount of general obligation refunding bonds issued shall not exceed 1.05 times the amount which, taking into account amounts to be earned from the investment of the proceeds of such issue or issues, is required to pay the principal of, the interest on, premium of, if any, on the revenue bonds to be refunded with the proceeds of the refunding issue or issues.

Each bond issued pursuant to the provisions of this act shall contain a pledge of the state's full faith and credit to the payment of the principal thereof and the interest thereon and the state's unconditional promise to pay said principal and interest as the same shall become due.

**NEW SECTION.** Sec. 5. The proceeds of the refunding issue or issues shall be invested and applied to the payment of the principal of, interest on and redemption premium, if any, on the bonds to be refunded, at the times and in the manner determined by the state finance committee consistent with the provisions and intent of this act. Any investment of such proceeds shall be made only in direct general obligations of the United States of America.

Any proceeds in excess of the amounts required to accomplish the refunding, or any such direct obligation of the United States of America acquired with such excess proceeds, shall be used to pay the fees and costs incurred in the refunding and the balance shall be deposited in the institutions of higher education refunding bond retirement fund of 1977.

**NEW SECTION.** Sec. 6. There is hereby created in the state treasury the institutions of higher education refunding bond retirement fund of 1977, which fund shall be devoted to the payment of principal of, interest on and redemption premium, if any, on the bonds authorized to be issued pursuant to this act.

The state finance committee shall, on or before June 30 of each year, certify to the state treasurer the amount needed in the next succeeding twelve months to pay the installments of principal of and interest on the refunding bonds coming due in such period. The state treasurer shall, not less than thirty days prior to the due date of each installment, withdraw from any general state revenues received in the state treasury an amount equal to the amount certified by the state finance committee as being required to pay such installment; shall deposit such amount in the institutions of higher education refunding bond retirement fund of 1977; and shall apply in a timely manner the funds so deposited to the payment of the installment due on the bonds.

Moneys in the said bond retirement fund may be invested as determined by the state finance committee. Any interest and profits derived from such interim investment shall be deposited into the said bond retirement fund.

**NEW SECTION.** Sec. 7. The legislature may provide additional means for the payment of the principal of and interest on bonds issued pursuant to this act and this act shall not be deemed to provide an exclusive method for such payment.

**NEW SECTION.** Sec. 8. At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding University of Washington general tuition fee revenue bonds payable from the University of Washington bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this act utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this act, then:

(1) The said University of Washington bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.20.720, 28B.20.725, 28B.20.800 or any other statute pertaining to said bonds or any covenant of the University of Washington board of regents pertaining to said bonds;

(2) The board of regents of the University of Washington shall, from moneys thereafter paid into the University of Washington bond retirement fund pursuant to the provisions of chapter 28B.20 RCW, transfer to the state general fund amounts sufficient to pay the principal of and the interest on that portion or series of the refunding bonds necessary to refund the said University of Washington bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.20 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the University of Washington bond retirement fund pursuant to covenants in the said University of Washington bonds.

(4) Anything to the contrary contained in RCW 28B.20.725 notwithstanding, the board of regents of the University of Washington is empowered to authorize the transfer from time to time to the University of Washington building account any moneys in the University of Washington bond retirement fund in excess of the amounts determined by the state finance committee to be transferred from such bond retirement fund in accordance with subsection (2) of this section 8.

**NEW SECTION, Sec. 9.** At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Washington State University general tuition fee revenue bonds and general tuition fee and scientific fund revenue bonds payable from the Washington State University bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this act utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this act, then:

(1) The said Washington State University bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.20.720, 28B.30.740, 28B.30.750 or any other statute pertaining to said bonds or any covenant of Washington State University board of regents pertaining to said bonds;

(2) The board of regents of Washington State University shall, from moneys thereafter paid into the Washington State University bond retirement fund pursuant to the provisions of chapter 28B.30 RCW, transfer to the state general fund amounts sufficient to pay the principal of and the interest on that portion or series of the refunding bonds necessary to refund the said Washington State University bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.30 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Washington State University bond retirement fund pursuant to covenants in the said Washington State University bonds.

(4) Anything to the contrary contained in RCW 28B.30.750 notwithstanding, the board of regents of Washington State University is empowered to authorize the transfer from time to time to the Washington State University building account any moneys in the Washington State University bond retirement fund in excess of the amounts determined by the state finance committee to be transferred from such bond retirement fund in accordance with subsection (2) of this section 9.

**NEW SECTION, Sec. 10.** At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Western Washington State College general tuition fee and normal school fund revenue bonds payable from the Western Washington State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this act utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this act, then:

(1) The said Western Washington State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of Western Washington State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all general tuition fees and all normal school fund revenues received by Western Washington State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Western Washington State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Western Washington State College bond retirement fund pursuant to covenants in the said Western Washington State College bonds.

**NEW SECTION, Sec. 11.** At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Eastern Washington State College general tuition fee and normal school fund revenue bonds payable from the Eastern Washington State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this act utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this act, then:

(1) The said Eastern Washington State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of Eastern Washington State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all general tuition fees and all normal school fund revenues received by Eastern Washington State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Eastern Washington State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Eastern Washington State College bond retirement fund pursuant to covenants in the said Eastern Washington State College bonds.

**NEW SECTION.** Sec. 12. At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Central Washington State College general tuition fee and normal school fund revenue bonds payable from the Central Washington State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this act utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this act, then:

(1) The said Central Washington State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of Central Washington State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all general tuition fees and all normal school fund revenues received by Central Washington State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Central Washington State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Central Washington State College bond retirement fund pursuant to covenants in the said Central Washington State College bonds.

**NEW SECTION.** Sec. 13. At such time as ample provision has been made for full payment, when due under the terms thereof or upon redemption prior to maturity, of all the principal of and interest on and redemption premium, if applicable, on all the outstanding Evergreen State College general tuition fee revenue bonds payable from the Evergreen State College bond retirement fund, which provision has been made in a refunding plan adopted by the state finance committee pursuant to the terms of this act utilizing a part of the proceeds and the investment proceeds of the refunding bonds issued pursuant to this act, then:

(1) The said Evergreen State College bonds so refunded shall be deemed not to be 'outstanding' or 'unpaid' for purposes of RCW 28B.40.370, 28B.40.750, or, other than RCW 28B.40.751, any other statute pertaining to said bonds or any covenant of the board of trustees of The Evergreen State College pertaining to said bonds;

(2) Anything to the contrary in chapter 28B.40 RCW notwithstanding, all general tuition fees and all normal school fund revenues received by The Evergreen State College pursuant to RCW 28B.40.751 shall thenceforth be deposited into the Evergreen State College capital projects account and the board of trustees of said college shall thereafter transfer from said capital projects account to the state general fund, amounts sufficient to pay the principal of and interest on that portion or series of the refunding bonds necessary to refund the said bonds. The state finance committee shall determine all matters pertaining to the said transfer, including the amounts to be transferred and the time and manner of transfer; and

(3) Anything to the contrary contained in chapter 28B.40 RCW notwithstanding, the state treasurer shall immediately transfer to the state general fund all reserves, less any amount required to effect the refunding, which have been accumulated theretofore in the Evergreen State College bond retirement fund pursuant to covenants in the said Evergreen State College bonds.

**NEW SECTION.** Sec. 14. Any reserves transferred to the state general fund by the state treasurer pursuant to sections 8(3), 9(3), 10(3), 11(3), 12(3), or 13(3) of this act shall be appropriated and expended solely for the maintenance and support of the institutions listed in section 1 of this act.

**NEW SECTION.** Sec. 15. 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 provisions to other persons or circumstances shall not be affected.

**NEW SECTION.** Sec. 16. Sections 1 through 15 of this act shall constitute a new chapter in Title 28B RCW.

**NEW SECTION.** Sec. 17. 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Shipoch, the House concurred in the Senate amendment to Substitute House Bill No. 1265.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1265 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1265 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Leckenby.

Not voting: Representatives Adams, Deccio, Flanagan, Gaines, Haley, Kilbury, North, O'Brien, Paris.

Substitute House Bill No. 1265 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.

The Speaker (Mr. Bauer presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. Bauer presiding) called the House to order.

Mr. King 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 Adams, Flanagan, Gaines, Haley, Kilbury, Leckenby, O'Brien and Paris.

On motion of Mr. King, the absent members were excused and the House proceeded with business under the Call of the House.

## REPORT OF STANDING COMMITTEE

June 11, 1977

HOUSE BILL NO. 1188, Prime Sponsor: Representative Martinis, allowing department of fisheries to deposit revenues into funds other than the general fund when so provided by law. Reported by Committee on Natural Resources.

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Martinis, Chairman; Moreau, Vice Chairman; Wilson, Ranking Minority Member; Clemente, Conner, Enbody, Fuller, Gilleland, Greengo, May, Schmitten, Shinoda, Smith, Vrooman.

## MOTION

On motion of Mr. King, the rules were suspended, and House Bill No. 1188 was advanced to second reading and read the second time in full.

On motion of Mr. Martinis, Third Substitute House Bill No. 1188 was substituted for House Bill No. 1188, and the third substitute bill was placed on the calendar for second reading.

Third Substitute House Bill No. 1188 was read the second time.

Mr. Pardini moved adoption of the following amendment:

On page 8, line 30 after "age" strike down to and including "and" on line 32.

Mr. Pardini spoke in favor of the amendment, and Mr. Martinis spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to Third Substitute House Bill No. 1188, and the amendment was not adopted by the following vote: Yeas, 35; nays, 55; not voting, 8.

Voting yea: Representatives Barnes, Bender, Berentson, Boldt, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eng, Fancher, Fortson, Grimm, Gruger, Hansen, Hawkins, Hurley G. S., Knedlik, Lee, Lux, Nelson D., Nelson G. A., Oliver, Owen, Pardini, Patterson, Polk, Shinoda, Struthers, Taller, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Amen, Barr, Bauer, Becker, Blair, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fischer, Fuller, Gallagher, Gilleland, Greengo, Grier, Hanna, Heck, Hughes, Hurley M., Keller, King, Knowles, Kreidler, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, Pearsall, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Vrooman, Walk, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Flanagan, Gaines, Haley, Kilbury, Leckenby, O'Brien, Paris.

The Speaker (Mr. Bauer presiding) declared the House to be at ease.

The Speaker called the House to order.

## MOTIONS

On motion of Ms. Becker, Representative Pearsall was excused from the Call of the House.

On motion of Mr. King, further consideration of Third Substitute House Bill No. 1188 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

## MESSAGE FROM THE SENATE

June 13, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2143,  
SUBSTITUTE SENATE BILL NO. 2268,  
SENATE BILL NO. 2282,  
SENATE BILL NO. 3015,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 293,  
SECOND SUBSTITUTE HOUSE BILL NO. 449,  
SUBSTITUTE HOUSE BILL NO. 697,  
SUBSTITUTE SENATE BILL NO. 2143,  
SUBSTITUTE SENATE BILL NO. 2268,  
SENATE BILL NO. 2282,  
SENATE BILL NO. 3015.

## SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 34, by Representative King:

Pertaining to tax reform.

The resolution was read the second time.

On motion of Mr. King, the following amendment by Representatives King and Barnes was adopted:

Beginning on page 1, line 13 delete the remainder of the concurrent resolution and insert the following: "WHEREAS, In recent years, recognizing the need and desirability for tax reform in the State of Washington, both political parties have attempted to devise constitutional amendments providing for tax reform acceptable to each other and to the people; and

WHEREAS, In each case these attempts have failed to gain the support of all three groups, and the latest attempt to propose a constitutional amendment to authorize a state income tax (HJR 15) has failed to gain the necessary support of the two political parties to achieve the required two-thirds vote;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker of the House and the Majority Leader of the Senate shall each appoint three members from their respective caucuses to form a Joint Select Committee to draft a constitutional amendment providing for tax reform acceptable to the majority of their caucuses, and the Minority Leader of the House and the Minority Leader of the Senate shall each appoint three members from their respective caucuses to form a Joint Select Committee to draft a constitutional amendment providing for tax reform acceptable to the majority of their caucuses. Both committees shall file final drafts of their proposals with the Clerk of the House and the Secretary of the Senate upon or before January 1, 1978.

AND BE IT FURTHER RESOLVED, That both tax plans shall be embodied in one proposal for presentation to the people as alternative amendments to the state Constitution. The members of each of the majority and minority caucuses of the House and Senate agree and pledge to each other the necessary two-thirds votes of the members of the two houses necessary to place the proposal before the people of the state of Washington on the 1978 general election ballot."

House Concurrent Resolution No. 34 was ordered engrossed.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Concurrent Resolution No. 34 was placed on final passage.

Representatives King and Sommers spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 34, and the resolution passed the House by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, King, Knedlik, Kreidler, Lux, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., North, Owen, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Fuller, Gilleland, Greengo, Hurley M., Knowles, Lee, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson.

Not voting: Representatives Adams, Flanagan, Gaines, Haley, Kilbury, Leckenby, O'Brien, Paris, Pearsall.

Engrossed House Concurrent Resolution No. 34, having received the constitutional majority, was declared passed.

#### MOTION FOR RECONSIDERATION

Mr. King moved that the House reconsider the vote by which Engrossed House Concurrent Resolution No. 34 passed the House.

Mr. King spoke in favor of the motion, and it was carried.

#### MOTION

On motion of Mr. King, Engrossed House Concurrent Resolution No. 34 was rereferred to Committee on Rules.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative Pearsall appeared at the bar of the House.

#### MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 10:00 a.m., Tuesday, June 14, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.



## NINETY-SIXTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Tuesday, June 14, 1977.

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 Adams, Haley, Kilbury, Lee, O'Brien, Owen and Paris, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Swindell and Calvin Rapada. Prayer was offered by Reverend Charles Loyer of the Westminster Presbyterian Church of Olympia.

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

#### MESSAGES FROM THE SENATE

June 13, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 936,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 13, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120, and the Senate has appointed as Senate conferees: Senators Gaspard, Benitz, Washington.

Sidney R. Snyder, Secretary.

June 13, 1977

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1310, and the President has appointed as Senate conferees: Senators Washington, Ridder, Murray.

Bill Gleason, Assistant Secretary.

June 13, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2032, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 13, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2040 as amended by the House, except for the amendment to page 36, line 3, from which the House receded.

Sidney R. Snyder, Secretary.

June 11, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2700,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 13, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2877, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 13, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 2382, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2382, authorizing senior citizen passports for admission to and use of state parks, have had the same under consideration, and we recommend that the bill be amended to read as follows:

\*AN ACT Relating to state parks; and adding a new section to chapter 43.51 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION, Section 1. There is added to chapter 43.51 RCW a new section to read as follows:

(1) The commission shall grant to any person who meets the eligibility requirements specified in this section a senior citizen's pass which shall (a) entitle such person, and members of his camping unit, to a fifty percent reduction in the campsite rental fee prescribed by the commission, and (b) entitle such person to free admission to any state park.

(2) The commission shall grant a senior citizen's pass to any person who applies for the same and who meets the following requirements:

(a) The person is at least sixty-two years of age; and

(b) The person is a domiciliary of the state of Washington and meets reasonable residency requirements prescribed by the commission; and

(c) The person and his or her spouse have a combined income which would qualify the person for a property tax exemption pursuant to RCW 84.36.381, as now law or hereafter amended. The financial eligibility requirements of this subparagraph (c) shall apply regardless of whether the applicant for a senior citizen's pass owns taxable property or has obtained or applied for such property tax exemption.

(3) Each senior citizen's pass granted pursuant to this section shall, unless renewed, expire on January 1 of the next year following the year in which it was issued. Any application for renewal of a senior citizen's pass shall, for purposes of the financial eligibility requirements of this section, be treated as an original application.

(4) Any resident of Washington who is disabled as defined by the social security administration and who receives social security benefits for that disability or who is entitled to benefits for permanent disability under RCW 71.20.015 and 72.33.020 due to unemployability full time at the minimum wage shall be entitled to receive, regardless of age and upon making application therefor, a disability pass at no cost to the holder. The pass shall (a) entitle such person, and members of his camping unit, to a fifty percent reduction in the campsite rental fee prescribed by the commission, and (b) entitle such person to free admission to any state park.

(5) All passes issued pursuant to this section shall be valid at all parks any time during the year: PROVIDED, That the pass shall not be valid for admission to concessionaire operated facilities.

(6) This section shall not affect or otherwise impair the power of the commission to continue or discontinue any other programs it has adopted for senior citizens.

(7) The commission shall adopt such rules and regulations as it finds appropriate for the administration of this section. Among other things, such rules and regulations shall prescribe a definition of "camping unit" which will authorize a reasonable number of persons traveling with the person having a senior citizen's pass to stay at the campsite rented by such person, a minimum Washington residency requirement for applicants for a senior citizen's pass and an application form to be completed by applicants for a senior citizen's pass."

Signed by Senators von Reichbauer, Lewis, Gaspard; Representatives Hurley (Margaret), North, Paris.

## MOTION

Representative Hurley (Margaret) moved that the House adopt the report of the Free Conference Committee.

Mrs. Hurley (Margaret) spoke in favor of the motion.

## POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Sanders.

Mr. Sanders: "About how many senior citizen passes in the state of Washington would you expect?"

Mrs. Hurley (Margaret): "It's based on 1300 passes. I presume there would be about 1300 citizens that would qualify."

## POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Hurley, I'm interested in whether this would just benefit those people who can afford recreational vehicles. What would be the services that could be obtained at a lower price on this?"

Mrs. Hurley (Margaret): "There are spaces for tents, spaces for group parking for camping such as camps for boy scouts, girl scouts, bluebirds and things like this. A person doesn't have to have an expensive RV in order to use this. I believe the price for tent camping is now \$3.50 per night and the price for RV's is around \$4.50."

The motion was carried.

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 Substitute Senate Bill No. 2382 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2382 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 77; nays, 4; not voting, 17.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., North, Oliver, Pardini, Patterson, Pearsall, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Newhouse, Struthers.

Not voting: Representatives Adams, Berentson, Dunlap, Eng, Flanagan, Haley, Hughes, Kilbury, Lee, Moreau, O'Brien, Owen, Paris, Polk, Salatino, Sommers, Williams.

Substitute Senate Bill No. 2382 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.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2700, by Committee on Ways and Means (Originally sponsored by Senator Donohue):

Imposing school levy limitations.

To Committee on Appropriations

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 138,  
SUBSTITUTE HOUSE BILL NO. 292,  
SUBSTITUTE HOUSE BILL NO. 323,  
SUBSTITUTE HOUSE BILL NO. 353,  
THIRD SUBSTITUTE HOUSE BILL NO. 371.

## SECOND READING

On motion of Mr. King, Engrossed Substitute Senate Bill No. 2910, Second Substitute Senate Bill No. 2232 and Substitute House Bill No. 318 were placed on the second reading calendar in that order.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2910, by Committee on Energy and Utilities (Originally sponsored by Senators Bottiger, Bailey, Rasmussen, Beck, Lewis, Hayner, Sellar and Benitz - by Governor Ray request):

Revising statutes relating to energy facility site selection.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 85th Day ex. sess., June 3, 1977.)

Mr. Lysen moved adoption of the committee amendment.

On motion of Mr. Lysen, the following amendments by Representatives Lysen and Dunlap to the committee amendment were adopted:

On page 10, beginning on line 10 strike all the material through "(b)" on line 13.

On page 14, beginning on line 22 after "facility" strike everything through "amended" on line 23.

On page 15, line 12 strike "thirty days of the commission of such error" and insert "sixty days of the commission of such error, or within thirty days of the first public hearing or meeting of the council at which the general subject matter to which the error is related is discussed, whichever comes later"

On page 15, line 39 strike "violation of such certification" and insert "material violation of the provisions of such certification: PROVIDED, That the expenses of a person found not to be in material violation of the provisions of such certification, including, but not limited to, expenses incurred for legal services and expert testimony, may be charged against the person or persons bringing an enforcement action or other action under this section"

On page 16, beginning on line 2 after "council" strike everything through "certification" on line 5.

Mr. Lysen moved adoption of the following amendment by Representatives Lysen and Dunlap to the committee amendment:

On page 20, after line 2 insert a new section to read as follows:

"NEW SECTION. Sec. 17. The senate and house committees on energy and utilities are directed to make continuing studies of energy facility siting and the role of the energy facility site evaluation council in that process and submit their findings and recommendations to the Washington state legislature on or before January 30, 1978. Such studies shall include, but not be limited to examination of:

- (1) The relationship between local and regional land use planning and the need for siting energy facilities;
- (2) The length of time necessary for the council to adequately process applications for certification;
- (3) The relationship between the roles of member state agencies in objectively reviewing an application for certification and in representing agency interests to the council;
- (4) The feasibility, benefits and disadvantages of requiring certification of the need for an energy facility as a part of the overall certification process;
- (5) Possible approaches to state identification of sites for future energy facilities and the feasibility, benefits and disadvantages of state control or acquisition of such sites; and
- (6) The benefits and disadvantages of alternative approaches to state review and approval of applications for certification of sites for energy facilities."

ReNUMBER the following sections consecutively.

Mr. Lysen spoke in favor of the amendment to the committee amendment.

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Lysen, you stated January 30, 1978, and that's kind of an interesting date for this report to come back. By that time if we were to come back into a special session, typically we'd be halfway through it; we'd be getting that report when we are ready to close that one up. Why didn't you bring it back on January 2nd?"

Mr. Lysen: "I'd be willing to do that. However, if we're amending the committee amendment, I think parliamentarily we'd have a problem. We'll probably try to do that; this is just a matter of procedure."

Representatives Newhouse and Berentson spoke against the amendment to the committee amendment.

## MOTIONS

On motion of Mr. King, further consideration of Engrossed Substitute Senate Bill No. 2910 was deferred, and the bill was ordered to hold its place on the second reading calendar.

Mr. King moved that the House immediately consider Third Substitute House Bill No. 1188.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Representative King has set the calendar already once today and now he's jockeying it again. Does this motion take a two-thirds vote?"

The Speaker: "No, it doesn't."

The motion was carried.

THIRD SUBSTITUTE HOUSE BILL NO. 1188, by Committee on Natural Resources (Originally sponsored by Representatives Martinis, Moreau, Kilbury, Greengo, Smith, Wilson, Schmitt, Taller, Chandler, Boldt, Owen, Burns, Becker and Berentson - by Governor Ray request):

Allowing department of fisheries to deposit revenues into funds other than the general fund when so provided by law.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal, 95th Day ex. sess., June 13, 1977.)

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Third Substitute House Bill No. 1188 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Martinis, one of the earlier versions of this program anticipated that the bonds could not be sold unless the license fees were flowing in an amount to service those bonds. Does the third substitute bill still contain that provision?"

Mr. Martinis: "Representative Pardini, it does not. Let me explain the mechanics of the earlier bill and the mechanics of this bill. The mechanics of the earlier proposition was that the bonds would be serviced by the general fund, but the general fund would have had deposited from the now nonexistent revenue—the salmon revenue fund. What was needed to service the bonds would have flowed into the general fund and serviced the bonds. Through the House and the Senate amendatory process that salmon revenue fund has been deleted. I thought maybe an appropriate approach would be that any surplus that would have been in that salmon revenue fund would have gone into the general fund, but that just says that the revenue just goes into the general fund. So that's the reason for deletion of the salmon revenue fund, and with an intent section of the Legislature saying that the intent of the revenues is for the enhancement program. The intent section is not long."

Mr. Pardini: "So in effect, we have a general obligation bond which we are hopeful that the revenues from the salmon fishing licenses will service, but we have no hold on those to say that the bonds cannot be issued if the revenues do not come as high as we anticipated?"

Mr. Martinis: "The projected revenues more than service those bonds for the capital expenditures. After six or eight years, the M&O plus the capital would have exceeded the revenues here, but when we concurred in the Senate amendments to the bond bill, the Director of Fisheries is directed to report to the Legislature to show the sufficiency of these revenues to service the enhancement program."

Mr. Wilson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Third Substitute House Bill No. 1188, and the bill passed the House by the following vote: Yeas, 81; nays, 5; not voting, 12.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Berentson, Blair, Boldt, Burns, Chandler, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Enbody, Eng, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler,

Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, Pardini, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Ehlers, Erak, Hawkins, Oliver.

Not voting: Representatives Adams, Bond, Grimm, Haley, Kilbury, Lee, Moreau, O'Brien, Owen, Paris, Salatino, Williams.

Third Substitute House Bill No. 1188, 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. Martinis, Third Substitute House Bill No. 1188 was ordered transmitted immediately to the Senate.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order.

Mr. King 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 Adams, Grier, Haley, Kilbury, Lee, Martinis, McCormick, Moreau, O'Brien, Owen, Paris and Vrooman.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 183,  
HOUSE BILL NO. 649.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 318, by Committee on Judiciary (Originally sponsored by Representatives Hansen, Fortson, Fancher, Gaines, Kilbury, Boldt, Charnley, Amen and Knedlik):

Permitting owners of property subject to condemnation proceedings to give the property to governmental unit involved.

The bill was read the second time.

Committee on Local Government recommendation: That the bill do pass without concurrence in any of the Senate amendments.

#### MOTION

Mr. Thompson moved that the House adopt the Committee on Local Government recommendation.

Mr. Thompson spoke in favor of the motion.

#### MOTION

Mr. Hansen moved that the House adopt the Senate amendments as the bill came from the Senate.

With the consent of the House, Mr. Hansen withdrew the motion, and spoke against the motion by Mr. Thompson.

#### POINT OF ORDER

Mr. Douthwaite: "It's my recollection that these amendments were once declared to be beyond the scope and object of the bill. Is that correct?"

## SPEAKER'S RULING

The Speaker: "Based on House Rule 31, the Senate changed the scope and object and that's the reason the bill was rereferred to committee. The amendments were not ruled outside the scope and object."

Mr. Hansen continued his remarks in opposition to the motion.

Mr. Thompson spoke again in favor of the motion, and Mr. Hansen spoke again against it.

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Amen.

Mr. Amen: "Representative Thompson, in the new section 4, that Representative Hansen referred to, about deeding one to five acres, or not less than one nor more than five acres, to the parents, spouse or child for the exclusive purpose of putting a house on there, it says, 'The deed shall contain a restrictive covenant running with the property reflecting the provisions of this section.' In my estimation this sentence doesn't add anything to it. What would you think? Would this be restrictive or not?"

Mr. Thompson: "I think you've correctly pinpointed our concerns, Representative Amen. There are other constraints that need to be made more explicit if this is to carry out the intent of the sponsor and not provide for further transfers and pyramiding in such a development."

Mr. Amen spoke in favor of the motion to adopt the Committee on Local Government recommendation.

## ROLL CALL

The Clerk called the roll on the motion that the House adopt the Committee on Local Government recommendation, and the motion was carried by the following vote: Yeas, 54; nays, 32; not voting, 12.

Voting yea: Representatives Amen, Becker, Bender, Blair, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fuller, Greengo, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knowles, Kreidler, Lux, Lysen, Maxie, McKibbin, Nelson D., North, Pardini, Patterson, Pearsall, Pruitt, Salatino, Sanders, Sherman, Shinoda, Shinpoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Barnes, Barr, Bauer, Berentson, Boldt, Bond, Clayton, Craswell, Deccio, Dunlap, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Hansen, Knedlik, Leckenby, May, Nelson G. A., Newhouse, Oliver, Polk, Schmitt, Struthers, Taller, Tilly, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Grier, Haley, Kilbury, Lee, Martinis, McCormick, Moreau, O'Brien, Owen, Paris, Vrooman.

The Speaker stated the effect of the vote was that the House did not concur in the Senate amendments to Substitute House Bill No. 318, and ask the Senate to recede therefrom.

Representatives Grier, Kilbury, Martinis, McCormick, Moreau and Vrooman appeared at the bar of the House.

**SECOND SUBSTITUTE SENATE BILL NO. 2232**, by Committee on Ways and Means (Originally sponsored by Senators Mardesich, von Reichbauer, Grant, Murray, Herr, Matson, Day, Odegaard, Fleming and Hayner):

Providing for educational clinics and authorizing state aid for students enrolled therein.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 85th Day ex. sess., June 3, 1977.)

On motion of Mr. Clemente, the committee amendment to page 2, line 15 was adopted.

Mr. Clemente moved adoption of the committee amendment to page 4, adding a new section 7, and spoke against adoption of the amendment.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 1, line 9 after "any" strike "private"

Mr. Barnes spoke in favor of the amendment, and Representatives Clemente, Boldt and Dunlap spoke against it.

#### POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Barnes, just for the record, you said the public schools could compete with these educational clinics, and it's my impression that any sums of money that would be paid to the educational clinics would include their entire cost of operation. Is it your intention that in a manner of competing, the public schools would have to include all of their costs, including their burden of overhead, their capital costs, so we would have a true comparison of the total costs? We're talking about their teacher salaries, their fringe benefits, the school, the buildings themselves, the amortization of the bonds—this sort of thing. Is it your intention that this will all be included?"

Mr. Barnes: "It is my intention that the public schools could bid these jobs at a great cost effectiveness because they already have the facilities which they would not have to charge off against this program. Maybe you would call this unfair, but it's very fair to the taxpayers. If you add to the fact that most of the expertise in special education is in the public schools, I think this would give an opportunity for a very cost-effective method of doing this. The SPI can look at the bottom line cost and judge the effectiveness and make the choice of whether to choose a public school that wants to run such as a clinic or private school."

Representatives Greengo and Douthwaite spoke against the amendment, and Mr. Barnes spoke again in favor of it.

The amendment was not adopted.

#### MOTION

On motion of Mr. King, further consideration of Second Substitute Senate Bill No. 2232 was deferred, and the bill was ordered to hold its place on today's second reading calendar.

#### MESSAGE FROM THE SENATE

June 13, 1977

Mr. Speaker:

The Senate refuses to grant a conference on SECOND SUBSTITUTE HOUSE BILL NO. 1306, and once again asks the House to concur in the Senate amendments thereto.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Second Substitute House Bill No. 1306.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 1306 as amended by the Senate.

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

Mr. Ehlers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1306 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gaines, Gallagher, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Enbody, Erak, Fancher, Flanagan, Fortson, Fuller, Gilleland, Grimm, Heck, Hughes, Hurley M., Leckenby, May, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Walk, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Haley, Lee, O'Brien, Owen, Paris.



Second Substitute House Bill No. 1306 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

On motion of Mr. King, Representatives Keller, North and Warnke were excused from the Call of the House.

The Speaker called on Mr. Charnley to preside.

#### SECOND SUBSTITUTE SENATE BILL NO. 2232:

The House resumed consideration of the bill on second reading.

Mr. Whiteside moved adoption of the following amendments by Representatives Whiteside and McKibbin:

On page 2, line 16 after "common" insert "or private"

On page 2, line 22 after "common" insert "or private"

On page 2, line 24 strike "common"

On page 2, line 25 strike "common"

Representatives Whiteside and Boldt spoke in favor of the amendments, and they were adopted.

The Clerk read the following amendment by Representative Barnes:

On page 2, line 27 after "therefrom" insert ": PROVIDED, That a program offered by a common school may qualify as an educational clinic for the purposes of this act under rules established by the state board of education"

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

Mr. Whiteside moved adoption of the following amendment:

On page 2, after subsection (3) add a new subsection as follows:

"(4) Programs at educational clinics shall be designed and carried out to encourage maximum progress toward the attainment of a high school diploma and completion of the diploma program either at the clinic or upon subsequent entry into the common school."

Mr. Whiteside spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Dunlap.

Mr. Dunlap: "Representative Whiteside, I think I understand the intent of your amendment, but what I'd like to know is whether or not adoption of your amendment would preclude students at a private educational clinic from working toward a GED?"

Mr. Whiteside: "I would hope so. I would like to see the educational clinics develop a program in concert with the various high school districts in the state whereby these students, if they were qualified, would receive a high school diploma at the educational clinic."

Representatives Dunlap and Heck spoke against the amendment, and Mr. Ehlers spoke in favor of it.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Boldt.

Mr. Boldt: "Representative Whiteside, you want these students to progress toward attaining a high school diploma either at a clinic or upon subsequent entry into the common schools. You had a previous amendment that said we could take private dropouts. Would those students who want to go back into private schools, since you say they are going to enter the common schools, be able to go back to private schools?"

Mr. Whiteside: "Yes. I would agree with that. If this amendment is adopted I would accept an amendment so that they could go back into private schools."

Representatives Boldt and Clemente spoke against the amendment.

On motion of Mr. Boldt, the following amendment to the Whiteside amendment was adopted:

On line 5 of the amendment to page 2, after "common" insert "or private"

Representatives Hurley (George) and Whiteside spoke in favor of the amendment as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Whiteside as amended to Second Substitute Senate Bill No. 2232, and the amendment was not adopted by the following vote: Yeas, 34; nays, 55; not voting, 9.

Voting yea: Representatives Amen, Barr, Blair, Bond, Burns, Chandler, Craswell, Deccio, Douthwaite, Ehlers, Fuller, Greengo, Grier, Gruger, Hawkins, Hurley G. S., Kreidler, Lysen, Nelson G. A., Newhouse, Oliver, Patterson, Pearsall, Sanders, Schmitten, Sherman, Shinoda, Sommers, Struthers, Taller, Tilly, Valle, Whiteside, Wilson.

Voting nay: Representatives Barnes, Bauer, Becker, Bender, Berentson, Boldt, Charette, Charnley, Clayton, Clemente, Conner, Dunlap, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gilleland, Grimm, Hanna, Hansen, Heck, Hughes, Hurley M., Kilbury, King, Knedlik, Knowles, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Pardini, Polk, Pruitt, Salatino, Shipoch, Smith, Thompson, Vrooman, Walk, Williams, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Haley, Keller, Lee, North, O'Brien, Owen, Paris, Warnke.

The Clerk read the following amendment by Representatives Whiteside and McKibbin: On page 2, beginning on line 36 with "Notwithstanding" strike all the material down to and including "state." on line 3, page 3.

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

Mr. Whiteside moved adoption of the following amendment:

On page 3, line 34 after "effectiveness" insert ": PROVIDED, That not more than fifty percent of any appropriation for educational clinics shall be paid to any one clinic"

Representatives Whiteside and Ehlers spoke in favor of the amendment, and Representatives Dunlap, Clemente and Boldt spoke against it.

#### POINT OF INQUIRY

Mr. Boldt yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Boldt, as I understand earlier proceedings, the appropriation was taken out of this bill, therefore there is no money in it. Obviously, that would leave me to conclude that somewhere in the budget we are funding this program with an appropriation to the Superintendent of Public Instruction. If we are, is there a proviso on that appropriation which sets forth any restriction on how this money shall be allocated?"

Mr. Boldt: "On page 45 of Substitute Senate Bill No. 3109, subsection (3), line 5, '...\$425,000.' The last thing it says is that the Superintendent shall adopt rules and regulations to carry out the provisions of this section. As you know, the first section goes into some detail about what is a clinic and what it shall do and who shall apply. That's the best answer I can give."

Mr. Greengo spoke in favor of the amendment.

The amendment was not adopted.

Representative Keller appeared at the bar of the House.

Mr. Boldt moved adoption of the following amendment:

Beginning on page 1, line 7 strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. The legislature finds that it is in the public interest to herein provide for certain remedial educational services which will aid school students to continue in the traditional school programs and assist those students who have dropped out.

**NEW SECTION.** Sec. 2. (1) As used in this chapter, unless the context thereof shall clearly indicate to the contrary:

Educational clinic means any private school operated on a profit or nonprofit basis which does the following:

(a) Is devoted to the teaching of basic academic skills, including specific attention to improvement of student motivation for achieving, and employment orientation.

(b) Operates on a clinical, client centered basis. This shall include, but not be limited to, performing diagnosis of individual educational abilities, determination and setting of individual goals, prescribing and providing individual courses of instruction therefor, and evaluation of each individual client's progress in his or her educational program.

(c) Conducts courses of instruction by professionally trained personnel certificated by the state board of education according to rules and regulations promulgated for the purposes of this chapter and providing, for

certification purposes, that a year's teaching experience in an educational clinic shall be deemed equal to a year's teaching experience in a common or private school.

(2) For purposes of this chapter, basic academic skills shall include the study of mathematics, speech, language, reading and composition, science, history, literature and political science or civics; it shall not include courses of a vocational training nature and shall not include courses deemed nonessential to the accrediting of the common schools or the approval of private schools under RCW 28A.04.120.

(3) The state board of education shall certify an education clinic only upon application and (1) determination that such school comes within the definition thereof as set forth in subsection (1) above and (2) demonstration on the basis of actual educational performance of such applicants' students which shows after consideration of their students' backgrounds, educational gains that are a direct result of the applicants' educational program. Such certification may be withdrawn if the board finds that a clinic fails to provide adequate instruction in basic academic skills. No educational clinic certified by the state board of education pursuant to this section shall be deemed a common school under RCW 28A.01.060 or a private school for the purposes of RCW 28A.02.201 through 28A.02.250.

**NEW SECTION.** Sec. 3. Only eligible common school dropouts shall be enrolled in a certified educational clinic for reimbursement by the superintendent of public instruction as provided in section 5 of this 1977 act. No person shall be considered an eligible common school dropout who (1) has completed high school, (2) has passed his eighteenth birthday, or (3) until three months has passed after he or she has dropped out of any common school, unless such clinic has been requested to admit such person by written communication of the board of directors or the superintendent of that common school or unless such person is unable to attend a particular common school because of disciplinary reasons, including suspension and/or expulsion therefrom.

**NEW SECTION.** Sec. 4. The superintendent of public instruction shall adopt, by rules, policies and procedures to permit a prior common school dropout to reenter at the grade level appropriate to such individual's ability: **PROVIDED,** That such individual shall be placed with the class he would be in had he not dropped out and graduate with that class, if his ability so permits notwithstanding any loss of credits prior to reentry and if such student earns credits at the normal rate subsequent to reentry.

Notwithstanding any other provision of law, any certified educational clinic student, upon completion of an individual student program and irrespective of age, shall be eligible to take the general educational development test as given throughout the state.

**NEW SECTION.** Sec. 5. From funds appropriated for that purpose, the superintendent of public instruction shall pay to a certified clinic on a monthly basis for each student enrolled in compliance with section 3 of this 1977 act, fees in accordance with the following conditions:

(1) (a) The fee for the initial diagnostic procedure shall be fifty dollars per student, and hourly fees for each student shall be sixteen dollars if the class size is no greater than one, ten dollars if the class size is at least two and no greater than five, and five dollars if the class size is at least six: **PROVIDED,** That revisions in such fees proposed by an education clinic shall become effective after thirty days notice unless the superintendent finds such a revision is unreasonable in which case the revision shall not take effect: **PROVIDED FURTHER,** That an education clinic may, within fifteen days after such a finding by the superintendent, file notification of appeal with the state board of education which shall, no later than its second regularly scheduled meeting following notification of such appeal, either grant or deny the proposed revision.

(b) Absences will be paid for, but after three consecutive absences or two unexcused absences in any one week, the student's enrollment will be terminated and no further fees will be payable: **PROVIDED,** That students may be re-enrolled at any time.

(c) No clinic shall make any charge to any student, or his parent, guardian or custodian, for whom a fee is being received under the provisions of this section.

(2) Payments shall be made from available funds first to those clinic(s) which have in the judgment of the superintendent demonstrated superior performance based upon consideration of students' educational gains taking into account such students' backgrounds, and upon consideration of cost effectiveness. In considering the cost effectiveness of nonprofit clinics the superintendent shall take into account not only payments made under this section but also factors such as tax exemptions, direct and indirect subsidies or any other cost to taxpayers at any level of government which result from such nonprofit status.

(3) To be eligible for such payment, every such clinic, without prior notice, shall permit a review of its accounting records by personnel of the state auditor during normal business hours.

(4) If total funds for this purpose approach depletion, the superintendent shall notify the clinics of the date after which further funds for reimbursement of the clinics' services will be exhausted.

**NEW SECTION.** Sec. 6. In accordance with chapter 34.04 RCW, the administrative procedure act, the state board of education with respect to the matter of certification, and the superintendent of public instruction with respect to all other matters, shall have the power and duty to make the necessary rules and regulations to carry out the purpose and intent of this chapter.

Criteria as promulgated by the state board of education or superintendent of public instruction for determining if any educational clinic is providing adequate instruction in basic academic skills or demonstrating superior performance in student educational gains for funding under section 5 of this 1977 act shall be subject to review by four members of the legislature, one from each caucus of each house, including the chairpersons of the respective education committees.

**NEW SECTION.** Sec. 7. Sections 7 through 13 of this act shall be known and cited as "The Transitional Bilingual Instruction Act of 1977". The legislature finds that there are large numbers of children who come from homes where the primary language is other than English. Experience has shown that classes

which are taught in English are inadequate to meet the needs of these children. The legislature finds that a bilingual education program can meet the needs of these children. Pursuant to the policy of this state to insure equal educational opportunity to every child in this state, it is the purpose of this act to provide for the implementation of bilingual education programs in the public schools, and to provide supplemental financial assistance to help local school districts to meet the extra costs of these programs.

**NEW SECTION.** Sec. 8. As used in this act, unless the context thereof indicates to the contrary:

(1) 'Bilingual instruction' means a system of instruction which uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable the pupil to achieve competency in both languages of instruction. Concepts and information are introduced in the primary language and reinforced in the second language.

(2) 'Primary language' means the language first acquired for usage in the home.

(3) 'Eligible pupil' means any enrollee of a school district where there are at least fourteen or more additional enrollees who have the same primary language other than English and whose English language skills are sufficiently deficient or absent to impair learning when taught only in English: PROVIDED, That eligible pupils shall receive no more than three years of state funded bilingual instruction.

**NEW SECTION.** Sec. 9. Every school district board of directors shall:

(1) Make available to each eligible pupil bilingual instruction in accord with rules of the superintendent of public instruction.

(2) Appoint and maintain an advisory committee of bilingual teachers and parents whose children are in the bilingual instruction program, excepting those school districts wherein fewer than fifty eligible pupils are enrolled in such bilingual education program. Where fewer than fifty eligible pupils are enrolled, parental involvement shall be sought.

(3) Wherever feasible, school officials shall ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the bilingual instruction program.

(4) Annually determine the number of eligible pupils enrolled in the school district in accord with methods prescribed by rules of the superintendent of public instruction.

**NEW SECTION.** Sec. 10. The superintendent of public instruction shall prepare and issue prior to September, 1977, program development guidelines to assist school districts in preparing their programs. Rules for implementation of this bilingual instruction act shall be promulgated by the superintendent of public instruction in accordance with chapter 34.04 RCW no later than May 15, 1978.

**NEW SECTION.** Sec. 11. The superintendent of public instruction shall prepare and submit biennially to the governor and the legislature a budget request for bilingual instruction programs. Moneys appropriated by the legislature for the purposes of this act shall be allocated by the superintendent of public instruction to school districts for the sole purpose of operating an approved bilingual instruction program; priorities for funding shall exist for the early elementary grades.

**NEW SECTION.** Sec. 12. The state board of education shall modify current regular and special certification rules to ensure that adequate provisions exist for certification of teachers of bilingual instruction.

**NEW SECTION.** Sec. 13. Section 9 of this act shall take effect September 1, 1978.

**NEW SECTION.** Sec. 14. Sections 2 through 12 of this 1977 act are added to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW as a new chapter thereof.

**NEW SECTION.** Sec. 15. If any provision of this 1977 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."

#### POINT OF ORDER

Mr. Tilly: "I think this amendment violates House Rule 32. This amendment includes Substitute House Bill No. 480 which is in the Senate Rules Committee."

#### POINT OF ORDER

Mr. Boldt: "If I may read from Rule 32, it says, '... under color of amendment 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.' This is the House and that bill is before the Senate."

#### SPEAKER'S RULING (MR. CHARNLEY PRESIDING)

The Speaker (Mr. Charnley presiding): "Representative Boldt, your point is well taken. Representative Tilly, the ruling of the Chair is as described by Representative Boldt."

The Clerk read the following amendment by Representatives Whiteside and McKibbin to the Boldt amendment:

Whiteside and McKibbin:

On page 2 of the amendment after subsection (3) add a new subsection as follows:

"(4) Programs at educational clinics shall be designed and carried out to encourage maximum progress toward the attainment of a high school diploma and completion of the diploma program either at the clinic or upon subsequent entry into the common school."

With the consent of the House, Mr. Whiteside withdrew the amendment to the amendment.

On motion of Mr. Whiteside, the following amendments by Representatives Whiteside and McKibbin to the amendment were adopted:

On page 2, line 25 after "common" insert "or private"

On page 2, line 34 after "common" insert "or private"

On page 2, line 37 strike "common"

On page 2, line 40 strike "common"

The Clerk read the following amendment by Representative Whiteside to the amendment:

On page 3 of the amendment, beginning on line 9 with "Notwithstanding" strike all the material down to and including "state." on line 13.

With the consent of the House, Mr. Whiteside withdrew the amendment to the amendment.

The Clerk read the following amendment to the amendment by Representatives Whiteside and McKibbin:

On page 4 of the amendment, line 10 after "effectiveness" insert ": PROVIDED, That not more than fifty percent of any appropriation for educational clinics shall be paid to any one clinic"

With the consent of the House, Mr. Whiteside withdrew the amendment to the amendment.

Mr. Whiteside moved adoption of the following amendment by Representatives Whiteside and Boldt to the amendment:

On page 5 of the amendment, line 15 after "of" insert "transitional"

Representatives Whiteside and Boldt spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

Mr. Whiteside moved adoption of the following amendment by Representatives Whiteside and Boldt to the amendment:

On page 5 of the amendment, line 41 after "instruction." insert "The pupil shall be transferred to the normal English language program when annual tests indicate the necessary competency."

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Whiteside, it appears to me that you are confusing it. What if the person in the testing doesn't indicate that they are competent or efficient and you have this cutoff after three years? What happens to them?"

Mr. Whiteside: "I think that would be a problem with the bill and not with my amendment, Representative Tilly, because in the bill it states they are just going to be in this program for three years and no longer."

The amendment to the amendment was adopted.

The Speaker (Mr. Charnley presiding) stated the question before the House to be the amendment by Representatives Boldt, Dunlap and Clemente as amended.

Mr. Boldt spoke in favor of the amendment.

#### MOTION

Mr. Pardini moved that Senate Joint Resolution No. 124 be made a Special Order of Business at 3:40 p.m.

#### POINT OF ORDER

Mr. King: "The motion is out of order. The resolution is not before us and it would first of all have to be removed from committee before the motion could be made to make it a special order of business."

The Speaker (Mr. Charnley presiding): "Representative Pardini, your motion was to make the resolution a special order of business and that motion is out of order."

Mr. Pardini: "A special order of business would bring that resolution before the body as a matter of action. It is one and the same motion and I want to make it a specific time. If you

want to defeat it, then defeat it, but the motion is proper and in order and I'm asking the majority of this body to bring it before them in two minutes."

#### SPEAKER'S RULING (MR. CHARNLEY PRESIDING)

The Speaker (Mr. Charnley presiding): "Representative Pardini, you have put two motions in the form of one. You first have to make a motion to suspend the rules and bring the bill from committee, and then you can make a motion to place it as a special order of business."

Mr. Pardini: "I'm sorry you are in error, Mr. Speaker. We do not have to suspend the rules. A majority of the body can bring a bill before it at any time. My motion is for a majority of this body to bring the bill before it at 3:40 this afternoon."

The Speaker (Mr. Charnley presiding): "Representative Pardini, your motion is to bring Senate Joint Resolution No. 124 before us and make it a special order of business. That is not a proper motion. A proper motion would be to relieve the State Government Committee of the resolution and bring it to the floor."

#### MOTION

Mr. Pardini moved that the Committee on State Government be relieved of Senate Joint Resolution No. 124 and that the resolution be placed before the body for immediate consideration.

Representatives Pardini, Berentson and Blair spoke in favor of the motion, and Representatives Ehlers, King, Kilbury and Hurley (George) spoke against it.

Mr. Pardini spoke again in favor of the motion, and Mr. Knedlik spoke against it.

#### POINT OF ORDER

Mr. Pardini: "Representative Knedlik is impugning my motives on a backdoor pay raise. I would tell Representative Knedlik something if he wants to talk in private about pay raises and what my future plans are."

The Speaker (Mr. Charnley presiding): "Representative Knedlik, the motion is to relieve the committee of SJR 124. Speak to the motion please."

Mr. Knedlik continued his remarks in opposition to the motion, and Mr. Tilly spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the State Government Committee of Senate Joint Resolution No. 124, and the motion was lost by the following vote: Yeas, 35; nays, 55; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hughes, Leckenby, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Polk, Sanders, Schmitt, Shinoda, Smith, Struthers, Tally, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Pearsall, Pruitt, Salatino, Sherman, Shipoch, Sommers, Thompson, Valle, Vrooman, Walk, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Haley, Lee, North, O'Brien, Owen, Paris, Warnke.

The Speaker (Mr. Charnley presiding) stated the question before the House to be the amendment by Representatives Boldt, Dunlap and Clemente as amended to Second Substitute Senate Bill No. 2232.

#### POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Boldt commented on the graveyard on the fourth floor and I'm more concerned about the potential graveyard in the Temple of Justice. My question deals with the severability clause. If suit is brought and private sectarian schools are denied participation in these educational clinics, is it the intent of the committee that private nonsectarian schools shall still be allowed to participate in the clinics?"

Mr. Clemente: "Yes, it is, Representative Douthwaite. I believe the bill is drawn so that a sectarian school as such couldn't be involved. It would have to be a separate entity as a clinic in order to qualify. Under those restrictions I think there wouldn't be a conflict."

Representatives Clemente, Dunlap and Boldt spoke in favor of the amendment as amended, and Mr. Whiteside spoke against it.

The amendment as amended was adopted.

On motion of Mr. Clemente, the committee amendment to the title was not adopted.

On motion of Mr. Boldt, the following amendments to the title were adopted:

On line 1 of the title after "education;" and before "providing" insert "providing for certain remedial educational services;"

On line 3 of the title after "clinics;" and before "creating" insert "providing for bilingual instruction in the common schools;"

On line 3 of the title after "sections;" and before "adding" strike "and"

On line 5 of the title after "thereof" and before the period insert "; and making effective dates"

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 2232 as amended by the House was placed on final passage.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2232 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 21; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Charnley, Clemente, Conner, Dunlap, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Oliver, Pardini, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Tally, Thompson, Valle, Vrooman, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Burns, Clayton, Craswell, Deccio, Douthwaite, Ehlers, Fancher, Flanagan, Grimm, Hughes, May, Newhouse, Patterson, Smith, Struthers, Tilly, Walk, Whiteside.

Not voting: Representatives Adams, Haley, Lee, North, O'Brien, Owen, Paris, Warnke.

Second Substitute Senate Bill No. 2232 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 SUBSTITUTE SENATE BILL NO. 2910:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. Charnley presiding) stated the question before the House to be the amendment by Representatives Lysen and Dunlap to page 20, line 2.

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

Mr. Lysen moved adoption of the following amendment by Representatives Lysen and Dunlap to the committee amendment:

On page 20, after line 2 insert a new section to read as follows:

**NEW SECTION.** Sec. 17. The senate and house committees on energy and utilities, subject to approval of the respective house and senate rules committees, are directed to make continuing studies of energy facility siting and the role of the energy facility site evaluation council in that process and submit their findings and recommendations to the Washington State Legislature on or before January 30, 1978. Such studies shall include, but not be limited to examination of:

(1) The relationship between local and regional land use planning and the need for siting energy facilities;

(2) The length of time necessary for the council to adequately process applications for certification;

(3) The relationship between the roles of member state agencies in objectively reviewing an application for certification and in representing agency interests to the council;

(4) The feasibility, benefits and disadvantages of requiring certification of the need for an energy facility as a part of the overall certification process;

(5) Possible approaches to state identification of sites for future energy facilities and the feasibility, benefits and disadvantages of state control or acquisition of such sites; and

(6) The benefits and disadvantages of alternative approaches to state review and approval of applications for certification of sites for energy facilities."

Renumber the remaining sections consecutively.

Mr. Lysen spoke in favor of the amendment to the committee amendment.

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, my point of order is that this amendment is a statutory requirement of a nonstatutory committee. The House standing committees are created by the House rules and not by the statutes of the Legislature. This would be a statutory directive for the Energy and Utilities Committee, a standing committee of this House, to do studies by a nonstatutory committee."

#### SPEAKER'S RULING (MR. CHARNLEY PRESIDING)

The Speaker (Mr. Charnley presiding): "Representative Martinis, if you will look on line 2 of the amendment, it says, 'subject to the approval of the house and senate rules committees.' The Chair believes that would answer the problem you raise."

Mr. Lysen continued his remarks in favor of the amendment to the committee amendment.

On motion of Mr. Bender, Representative Flanagan was excused from the Call of the House.

Representatives Blair, Martinis and Newhouse spoke against the amendment to the committee amendment, and Mr. Lysen spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Lysen and Dunlap to the committee amendment to Engrossed Substitute Senate Bill No. 2910, and the amendment was not adopted by the following vote: Yeas, 20; nays, 69; not voting, 9.

Voting yea: Representatives Bauer, Bender, Conner, Dunlap, Ehlers, Eng, Gruger, Hawkins, Heck, Lysen, McKibbin, Nelson D., Pardini, Pruitt, Shinpoch, Valle, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson.

Not voting: Representatives Adams, Flanagan, Haley, Lee, North, O'Brien, Owen, Paris, Warnke.

On motion of Mr. Lysen, the following amendment by Representatives Lysen and Dunlap to the committee amendment was adopted:

On page 10, line 15 after "applications" insert "and to site certifications"

Mr. Lysen moved adoption of the following amendment by Representatives Lysen and Dunlap to the committee amendment:

On page 16 of the House committee amendment, after line 14 insert the following:

"Sec. 13. Section 2, chapter 110, Laws of 1974 ex. sess. as amended by section 40, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.175 are each amended to read as follows:

(1) In addition to all other powers conferred on the council under this chapter, the council shall have the powers set forth in this section.

(2) The council, upon request of any potential applicant, is authorized, as provided in this section, to conduct a preliminary study of any potential site prior to receipt of an application for site certification. A fee of ten thousand dollars for each potential site, to be applied toward the cost of any study agreed upon pursuant to subsection (3) of this section, shall accompany the request and shall be a condition precedent to any action on the request by the council.

(3) After receiving a request to study a potential site, the council shall commission its own independent consultant to study matters relative to the potential site. The study shall include, but need not be limited to, the preparation and analysis of environmental impact information for the proposed potential site and any other matter the council and the potential applicant deem essential to an adequate appraisal of the potential site. In conducting the study, the council is authorized to cooperate and work jointly with the county or counties in which the potential site is located, any federal, state, or local governmental agency that might be requested to comment upon the potential site, and any municipal or public corporation having an interest in the matter. The full cost of the study shall be paid by the potential applicant: PROVIDED, That such costs exceeding a total of ten thousand dollars shall be payable subject to the potential applicant giving prior approval to such excess amount.

(4) Any study prepared by the council pursuant to subsection (3) of this section may be used in place of the "detailed statement" required by RCW 43.21C.030(2)(c) by any branch of government except the



council created pursuant to chapter 80.50 RCW. ((Except for actions of the council under chapter 80.50 RCW, all proposals for legislation and other actions of any branch of government of this state, including state agencies, municipal and public corporations, and counties, to the extent the legislation or other action involved approves, authorizes, permits, or establishes procedures solely for approving, authorizing or permitting, the location, financing or construction of any energy facility subject to certification under chapter 80.50 RCW, shall be exempt from the "detailed statement" required by RCW 43.21C.030. Nothing in this subsection shall be construed as exempting any action of the council from any provision of chapter 43.21C RCW.))

(5) All payments required of the potential applicant under this section are to be made to the state treasurer, who in turn shall pay the consultant as instructed by the council. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the potential applicant.

(6) Nothing in this section shall change the requirements for an application for site certification or the requirement of payment of a fee as provided in RCW 80.50.070, or change the time for disposition of an application for certification as provided in RCW 80.50.100.

(7) Nothing in this section shall be construed as preventing a city or county from requiring any information it deems appropriate to make a decision approving a particular location.

**NEW SECTION.** Sec. 14. There is added to chapter 80.50 RCW a new section to read as follows:

Except for actions of the council under chapter 80.50 RCW, all proposals for legislation and other actions of any branch of government of this state, including state agencies, municipal and public corporations, and counties, to the extent the legislation or other action involved approves, authorizes, permits, or establishes procedures solely for approving, authorizing or permitting, the location, financing or construction of any energy facility subject to certification under chapter 80.50 RCW, shall be exempt from the 'detailed statement' required by RCW 43.21C.030. Nothing in this section shall be construed as exempting any action of the council from any provision of chapter 43.21C RCW."

Renumber the remaining sections consecutively and correct the internal cross references accordingly.

Mr. Lysen spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Fuller.

Mr. Fuller: "In subsection (2), what is a potential applicant?"

Mr. Lysen: "This would be a power company, a PUD, anybody who would survey a site for consideration of building a power plant."

The amendment to the committee amendment was adopted.

On motion of Mr. Bender, Representative Smith was excused from the Call of the House.

The Speaker (Mr. Charnley presiding) stated the question before the House to be the committee amendment as amended.

Representatives Lysen and Dunlap spoke in favor of the amendment as amended, and Mr. Leckenby spoke against it.

Mr. Lysen spoke again in favor of the amendment as amended.

#### POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Oliver.

Mr. Oliver: "I'm quite concerned about this preemption of local governments and I would like to know exactly what in the statutes are we talking about in terms of a local government? Are we talking about two or three people obtaining a court order and delaying a project? Are we talking about the county commissioners—exactly what are we talking about? Could three people delay a project which the whole nation wants or what are the ramifications of this?"

Mr. Dunlap: "Representative Oliver, we're talking about local units of government. I suppose in the extreme if three people comprise a local unit of government, the three people could forestall action, but generally we're talking about counties, cities, and local units of government with which we are all familiar, not a small handful of one, two or three people."

Mr. Oliver: "My question is specifically what governmental bodies are we dealing with in this statute? Perhaps Representative Lysen could elaborate on this."

Mr. Lysen: "It would remain under the jurisdiction of the elected local county commissioners. They are elected officials and are ultimately responsible for local zoning within counties. It's up to them, and we're saying the track record in this state is excellent with local county commissioners in terms of negotiating contracts, rezoning and accommodating major energy facilities. Until demonstrated otherwise, I think we should not transfer this authority from locally elected officials to third level state bureaucrats."

The committee amendment as amended was adopted.

On motion of Mr. Bender, Representative Thompson was excused from the Call of the House.

Mr. Lysen moved adoption of the committee amendment to the title.

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

On page 20 of the committee amendment, line 30 before "making" insert "amending section 2, chapter 110, Laws of 1974 ex. sess. as amended by section 40, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.175;"

The committee title amendment as amended was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2910 as amended by the House was placed on final passage.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Dunlap.

Mr. Dunlap: "Representative Lysen, this bill on the siting law gives the Siting Council the power to establish construction and operational conditions as part of its certification agreement. Is it the intent of the bill to allow the Council to regulate the construction and operation of nuclear power plants?"

Mr. Lysen: "The bill and the present law never contemplated allowing the Council to regulate these aspects of nuclear power plants exclusively under the jurisdiction of the federal government. The Federal Nuclear Regulatory Commission has sole authority over radioactive aspects of nuclear power plants; however, the Council has the power to regulate other nonnuclear aspects of power plant operation, such as water discharge, to the extent that such regulation does not conflict with federal law. Of course, the construction and operational conditions of other energy facilities are regulated by the Council. There is nothing to change this overall state-federal regulatory picture."

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Ms. Becker.

Ms. Becker: "Representative Lysen, is this bill intended to be retroactive in any way?"

Mr. Lysen: "The answer is no. This legislation is not in any way intended to look back on the existing statute. This applies to future applications only and will be the governing state policy as future energy facilities are applied for and come before the Siting Council. It is in no way affecting existing statute."

#### ROLL CALL

The Clerk called the roll of the final passage of Engrossed Substitute Senate Bill No. 2910 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 9; not voting, 11.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Pardini, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Charette, Conner, Erak, Gilleland, Leckenby, Oliver, Patterson.

Not voting: Representatives Adams, Flanagan, Haley, Lee, North, O'Brien, Owen, Paris, Smith, Thompson, Warnke.

Engrossed Substitute Senate Bill No. 2910 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.

On motion of Mr. Bender, Representative Douthwaite was excused from the Call of the House.

## SENATE AMENDMENTS TO HOUSE BILL

June 11, 1977

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE BILL NO. 271 with the following amendments:

On page 4, section 3, line 25 after "1958" insert ": PROVIDED FURTHER, That the provisions of chapter 43.74 RCW are hereby waived for any licensed medical practitioner with 5 years practical experience in medicine and surgery, osteopathy, osteopathy and surgery"

On page 4, line 9 after "Upon the" insert "satisfactory"

On page 5, line 5 strike "qualified"

On page 5, line 36 after "representatives" strike "in January, 1979" and insert "by January 1, 1978"

On page 6, line 2 after "include" insert "the number of vacancies occurring in the third and fourth years of medical school,"

On page 6, line 4 strike all of section 8 and insert the following:

**NEW SECTION.** Sec. 8. To carry out the provisions of section 4 of this 1977 amendatory act, the University of Washington shall fill all vacancies occurring in the School of Medicine after the national boards examination, Part I, with qualified Washington state residents attending foreign medical schools. To carry out the provisions of section 3 of this 1977 amendatory act, to provide supervised clinical training, the University of Washington shall fill all vacancies occurring after the third and before the fourth years of medical school with Washington state residents who meet the admission standards defined in section 3 of this 1977 amendatory act: PROVIDED, That the University of Washington shall actively pursue and accept any federal funds available for the purposes described in this 1977 amendatory act."

Renumber the remaining sections consecutively.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Kreidler moved that the House concur in the Senate amendments to Reengrossed House Bill No. 271.

Representatives Kreidler, Schmitt and Pruitt spoke in favor of the motion, and Mr. Pardini spoke against it.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charnley presiding) stated the question before the House to be the final passage of Reengrossed House Bill No. 271 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 271 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 10; not voting, 12.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charnley, Clayton, Clemente, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Chandler, Charette, Conner, Eng, Pardini, Patterson, Tilly, Winsley.

Not voting: Representatives Adams, Douthwaite, Flanagan, Haley, Lee, North, O'Brien, Owen, Paris, Smith, Thompson, Warnke.

Reengrossed House Bill No. 271 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. King, Second Substitute Senate Bill No. 2232 as amended by the House was ordered transmitted immediately to the Senate.

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 10:00 a.m., Wednesday, June 15, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## NINETY-SEVENTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, June 15, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Bauer presiding). The Clerk called the roll and all members were present except Representatives Adams, Gaines, Haley, Kilbury, North, O'Brien and Paris, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Leesa Anderson and Keith Dolliver. Prayer was offered by Reverend Charles Loyer of the Westminster Presbyterian Church of Olympia.

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

### MESSAGES FROM THE SENATE

June 14, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 105,  
 SUBSTITUTE HOUSE BILL NO. 138,  
 SUBSTITUTE HOUSE BILL NO. 217,  
 SUBSTITUTE HOUSE BILL NO. 292,  
 SUBSTITUTE HOUSE BILL NO. 293,  
 SUBSTITUTE HOUSE BILL NO. 323,  
 SUBSTITUTE HOUSE BILL NO. 353,  
 THIRD SUBSTITUTE HOUSE BILL NO. 371,  
 SECOND SUBSTITUTE HOUSE BILL NO. 449,  
 SUBSTITUTE HOUSE BILL NO. 564,  
 SUBSTITUTE HOUSE BILL NO. 656,  
 SUBSTITUTE HOUSE BILL NO. 674,  
 SUBSTITUTE HOUSE BILL NO. 697,  
 SUBSTITUTE HOUSE BILL NO. 837,  
 SECOND SUBSTITUTE HOUSE BILL NO. 874,  
 SUBSTITUTE HOUSE BILL NO. 1184,  
 SUBSTITUTE SENATE BILL NO. 2032,  
 SECOND SUBSTITUTE SENATE BILL NO. 2040,  
 SUBSTITUTE SENATE BILL NO. 2877,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 14, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2185, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 14, 1977

Mr. Speaker:

The Senate refused to grant a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 2697, and has concurred in the House amendments and passed the bill as amended by the House, Yeas, 29, Nays, 9.

Sidney R. Snyder, Secretary.

## POINT OF PARLIAMENTARY INQUIRY

Mr. King: "Mr. Speaker, on May 13th the Senate voted to adhere to its position on Engrossed Substitute Senate Bill No. 2697, and transmitted the bill to this House with a request that we recede from our amendments. On May 19th we refused to recede and requested that the Senate appoint a Conference Committee thereon. My inquiry is this: Have the Speaker and the Chief Clerk complied with our House rules and the established procedure of this Legislature which provides that the papers shall be retained in possession of the House requesting the conference?"

The Speaker (Mr. Bauer presiding): "Yes, we have complied with that procedure. Engrossed Substitute Senate Bill No. 2697 has been in the possession of our Chief Clerk since May 13th when the Senate transmitted the bill to the House."

## SENATE AMENDMENTS TO HOUSE BILL

June 11, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1132 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 46.52.120, chapter 12, Laws of 1961 as amended by section 62, chapter 32, Laws of 1967 and RCW 46.52.120 are each amended to read as follows:

It shall be the duty of the director to keep a case record on every motor vehicle driver licensed under the laws of this state, together with information on each, showing all the convictions certified by the courts and an index cross reference record of each accident reported relating to such individuals with a brief statement of the cause of such accident, which index cross reference record shall be furnished to the director by the chief of the Washington state patrol, with reference to each driver involved in the reported accidents. The case record shall be maintained in two parts. One part shall be the employment driving record of the person which shall include all motor vehicle accidents in which the person is involved while the person is driving a commercial motor vehicle as an employee of another and all convictions of the person for violation of the motor vehicle laws while the person is driving a commercial motor vehicle as an employee of another. The other part shall include all other accidents and convictions. Such records shall be for the confidential use of the director and the chief of the Washington state patrol and for such police officers or other cognizant public officials as may be designated by law. Such case records shall not be offered as evidence in any court except in case appeal is taken from the order of director, suspending, revoking, canceling, or refusing vehicle driver's license. It shall be the duty of the director to tabulate and analyze vehicle driver's case records and to suspend, revoke, cancel, or refuse any vehicle driver's license to any person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. Whenever the director may order the vehicle driver's license of any such person suspended, revoked, or canceled, or shall refuse the issuance of vehicle driver's license, such suspension, revocation, cancellation, or refusal shall be final and effective unless appeal from the decision of the director shall be taken as provided by law.

Sec. 2. Section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 1, chapter 140, Laws of 1977 1st ex. sess. and RCW 46.52.130 are each amended to read as follows:

~~((The director shall upon request furnish any insurance company or its agent, having or considering the issuance of a policy of insurance and any employer or prospective employer of persons who drive commercial motor vehicles or school buses a certified abstract of the driving record of any person;)) Any request for a certified abstract must specify which part is requested, and only the part requested shall be furnished. The employment driving record part shall be furnished only to the individual named in the abstract, an employer, the insurance carrier that has insurance in effect covering such employer, or a prospective employer. The other part shall be furnished only to the individual named in the abstract, the insurance carrier that has insurance in effect covering such named individual, or the insurance carrier to which such named individual has applied. The director, upon proper request, shall furnish a certified abstract covering ((a)) the period of not more than three years last past, and such abstract whenever possible, ((which abstract)) shall include an enumeration of motor vehicle accidents in which such person ((has been)) was involved((-Such abstract shall indicate)); the total number of vehicles involved; whether the vehicles were legally parked or moving; whether such vehicles were occupied at the time of the accident; and any reported convictions or forfeitures of bail of such person upon a charge of violating any motor vehicle law. Such enumeration shall include any reports of failure to appear in response to a traffic citation served upon such person by an arresting officer. ((In addition thereto the director shall furnish such record to the person whose driving record is involved, upon such person's request;))~~

The abstract herein provided to ((the)) an insurance company shall have excluded therefrom any information pertaining to any occupational driver's license when the same is issued to any person employed by another or self-employed as a motor vehicle driver who during the five years preceding the request has been issued such a license by reason of a conviction of a motor vehicle offense outside the scope of his principal employment, and who has during such period been principally employed as a motor vehicle driver deriving the major portion of his income therefrom. The abstract provided to the insurance company shall also

exclude any information pertaining to law enforcement officers or fire fighters as defined in RCW 41.26.030, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty during an emergency situation if the chief of the officer's or fire fighter's department certifies on the accident report that the actions of the officer or fire fighter were reasonable under the circumstances as they existed at the time of the accident.

The director shall collect for each such abstract the sum of one dollar fifty cents which shall be deposited in the highway safety fund.

Any insurance company or its agent receiving such certified abstract shall use it exclusively for its own underwriting purposes and shall not divulge any of the information therein contained to a third party: PROVIDED, That no policy of insurance shall be canceled on the basis of such information unless the policyholder was determined to be at fault: PROVIDED FURTHER, That no insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles shall use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment.

Any employer or prospective employer receiving such certified abstract shall use it exclusively for his own purpose to determine whether the licensee should be permitted to operate a commercial vehicle or school bus upon the public highways of this state and shall not divulge any information therein contained to a third party.

Any violation of this section shall be a gross misdemeanor.

**NEW SECTION.** Sec. 3. There is added to chapter 48.30 RCW a new section to read as follows:

When an individual applies for a policy of casualty insurance providing either automobile liability coverage, uninsured motorist coverage, automobile medical payments coverage, or automobile physical damage coverage on an individually owned passenger vehicle or a renewal of such policy, an insurer shall not consider the applicant's commercial motor vehicle employment driving record in determining whether the policy will be issued or renewed or in determining the rates for the policy. An insurer shall not cancel such policy or discriminate in regard to other terms or conditions of the policy based upon the applicant's commercial motor vehicle employment driving record.

'Employment driving record' means that record maintained by the director pertaining to motor vehicle accidents or convictions for violation of motor vehicle laws while the applicant is driving a commercial motor vehicle as an employee of another."

In the title, line 5 after "chapter" and before "and" strike "37, Laws of 1973 1st ex. sess." and insert "... (SSB 3098), Laws of 1977 1st ex. sess."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Douthwaite moved that the House concur in the Senate amendments to Substitute House Bill No. 1132.

Mr. Douthwaite spoke in favor of the motion, and Mr. Newhouse spoke against it.

### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mrs. Pearsall.

Mrs. Pearsall: "Representative Douthwaite, is it the intention of any section of this bill that drivers of municipal transportation vehicles will be covered by exemptions or privilege provisions in this bill?"

Mr. Douthwaite: "Thank you for asking, Representative Pearsall, because this clarifies one of the objections Representative Newhouse has raised. In RCW 46.04.140 commercial vehicle is defined as any vehicle, the principle use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire. The municipal vehicles you refer to would qualify under the latter where the vehicle is used for passenger for hire. Therefore, I believe it does cover those drivers of municipal vehicles in addition."

Mrs. Pearsall spoke in favor of the motion to concur.

### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Pardini.

Mr. Pardini: "Would you construe your citation to extend to school bus drivers?"

Mr. Douthwaite: "No, I think not. The language is 'passengers for hire.' Those particular folks are still left out."

### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Conner.

Mr. Conner: "On line 28 of section 2 of the Senate amendments, they talk about an employer. Can any employer of an individual look at the records? Who does have that opportunity of having those records available?"

Mr. Douthwaite: "As I understand the intent, the language, 'an employer,' refers to any employer who does, in fact, employ a driver who is one of those who would be exempted by the bill. It is not simply any employer who might be interested in your driving record."

#### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Patterson.

Mr. Patterson: "In the case of an individual who is self-employed, he becomes the employee, he employs himself to drive his own truck. Does he come under the category of an employer?"

Mr. Douthwaite: "Of course, any individual can request his driving abstract from the Department of Motor Vehicles and get the same for the cost of \$1.50. There is this one inconsistency, as Representative Newhouse has pointed out, if one owns his own company and drives professionally and privately, he is not protected this way."

The motion to concur was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Bauer presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1132 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1132 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 55; nays, 26; not voting, 17.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Pardini, Pearsall, Pruitt, Shinoda, Shinpoch, Sommers, Taller, Thompson, Valle, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Leckenby, Nelson G. A., Newhouse, Patterson, Polk, Sanders, Schmitten, Struthers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Adams, Enbody, Gaines, Haley, Kilbury, Lysen, North, O'Brien, Oliver, Owen, Paris, Salatino, Sherman, Smith, Vrooman, Warnke, Winsley.

Substitute House Bill No. 1132 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

On motion of Mr. King, the House advanced to the sixth order of business.

#### SECOND READING

On motion of Mr. King, all bills listed on the second reading calendar were rereferred to Committee on Rules.

#### MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

#### THIRD READING

On motion of Mr. King, all bills on the third reading calendar were rereferred to Committee on Rules.

The Speaker assumed the Chair.

#### SENATE AMENDMENTS TO HOUSE BILL

June 14, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 391 with the following amendments:

On page 2, line 26 strike "represent" and insert "advertise"



On page 4, line 29 after "appointed" strike the comma, insert a period and strike the balance of the sentence.

On page 5, line 27 strike "shall" and insert "may"

On page 5, line 29 after "practice," insert "minimum standards of equipment and procedures,"

On page 5, line 32 strike "shall" and insert "may" and strike "hearings" and insert "meetings" and after "and" insert "shall"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Kreidler moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 391.

Mr. Kreidler spoke in favor of the motion.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "In that we sent all of the bills back to the Rules Committee, could you give us some idea of what we will be doing for the rest of the day? We do have some question as to whether the Senate gave permission to send all the bills back to Rules."

The Speaker: "We will be going at ease very shortly until 2:00 p.m. There will be a Rules Committee meeting at 1:30. We don't have to ask the Senate for permission to refer any of their bills to Rules Committee."

Mr. Berentson: "We can expect then some action to put some bills back on second or third reading so some action could be taken after the Rules Committee meeting?"

The Speaker: "The Rules Committee will meet at 1:30."

The motion to concur in the Senate amendments to Engrossed Second Substitute House Bill No. 391 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 Second Substitute House Bill No. 391 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 391 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; nays, 4; not voting, 13.

Voting yea: Representatives Amen, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Nelson G. A., Newhouse, Owen, Pardini, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Fuller, Grier, Sommers.

Not voting: Representatives Adams, Enbody, Gaines, Haley, Kilbury, Lysen, McKibbin, North, O'Brien, Oliver, Paris, Salatino, Vrooman.

Engrossed Second Substitute House Bill No. 391 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. Pardini moved that the House immediately transmit Engrossed Substitute Senate Bill No. 2697 to the Senate.

#### SPEAKER'S RULING

The Speaker: "Your motion is not in order. We are not in the right order of business."

The Speaker declared the House to be ease until 2:00 p.m.

The Speaker (Mr. Charnley presiding) called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. Charnley presiding) announced the Speaker was signing:

HOUSE BILL NO. 49,  
 SUBSTITUTE HOUSE BILL NO. 68,  
 HOUSE BILL NO. 271,  
 SUBSTITUTE HOUSE BILL NO. 581,  
 SUBSTITUTE HOUSE BILL NO. 928,  
 SUBSTITUTE HOUSE BILL NO. 936,  
 SUBSTITUTE HOUSE BILL NO. 952,  
 SUBSTITUTE HOUSE BILL NO. 1265,  
 SUBSTITUTE SENATE BILL NO. 2032,  
 SECOND SUBSTITUTE SENATE BILL NO. 2040,  
 SUBSTITUTE SENATE BILL NO. 2877.

POINT OF ORDER

Mr. Newhouse: "Just before a rather rapid adjournment before lunch, the motion was made to transmit a bill to the Senate and the Speaker ruled that we were not under the proper order of business. I'd like to register that the rules state that a motion such as that is in order at any time."

The Speaker (Mr. Charnley presiding): "Your point of order is not well taken."

MESSAGE FROM THE SENATE

June 14, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

June 13, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120, enacting an alternative to Initiative 59, have had the same under consideration, and we report that we cannot agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Benitz, Washington; Representatives Charette, Newhouse, Valle.

MOTION

Mrs. Valle moved that the House adopt the Conference Committee report, and grant the committee the powers of Free Conference.

Representatives Valle and Newhouse spoke in favor of the motion and Representatives Hansen and Charette spoke against it.

Mrs. Valle spoke again in favor of the motion.

POINT OF INQUIRY

Mrs. Valle yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Valle, for the record, does this amendment have anything to do with the controversy that has been initiated by the Yakima Indian Nation with regard to water rights on the Yakima Reservation?"

Mrs. Valle: "Representative Deccio, in no way does the conference report refer to the action of the Indian rights law suit. What it does is give the Department of Ecology powers to initiate water adjudication claims and to initiate that concept. In no way does this report refer to that particular law suit."

POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Newhouse, I'd like to ask the same question of you."

Mr. Newhouse: "This bill would not directly address that, but it would indirectly to the extent that the state would instigate proceedings in some superior court in the area, probably in Yakima, then it would probably be transferred to the federal district court, and then having been initiated in the superior court, the federal district court might well refer the case back to the Yakima district court for adjudication. If this procedure were not followed the chances of going back to the superior court where we would probably much rather be, would be lessened. This would help the people in getting into the court where they want to be."

Mr. Deccio: "Would this in any way prompt the Department of Ecology from adjudicating water rights other than those involved in the Yakima Indian Nation? Would it motivate them to try to adjudicate water rights other than those?"

Mr. Newhouse: "It would somewhat simplify the procedures of notification in the adjudication process and would be applicable in any watershed in the state."

The motion was carried.

#### MESSAGE FROM THE SENATE

June 14, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 120, as passed by the Senate on May 26, 1977, and said bill, together with the Conference Report thereon, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 6, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 120, establishing a business license center, have had the same under consideration, and we recommend that the bill do pass as amended by the Senate.

Signed by Senators Van Hollebeke, Morrison, Wojahn; Representatives Warnke, Salatino, Shinoda.

#### MOTION

On motion of Mr. Warnke, the House adopted the report of the Conference Committee on Substitute House Bill No. 120.

#### FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. Charnley presiding) stated the question before the House to be the final passage of Substitute House Bill No. 120 as recommended by the Conference Committee.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 120 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 1; not voting, 17.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grimm, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Adams, Eng, Erak, Erickson, Fortson, Gaines, Grier, Gruger, Haley, Hanna, Kilbury, Lee, Lux, Martinis, North, O'Brien, Paris.

Substitute House Bill No. 120 as recommended by the 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.

## MESSAGE FROM THE SENATE

June 14, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1310, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 13, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1310, defining "date of filing" with regard to a permit for a variance or a conditional use under the shoreline management act, have had the same under consideration, and we report that we cannot agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Washington, Ridder, Murray; Representatives Valle, Douthwaite, Zimmerman.

## MOTION

On motion of Mrs. Valle, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 2516, revising the laws relating to apiaries, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Benitz, Wilson; Representatives Becker, Boldt, Amen.

## MOTION

On motion of Ms. Becker, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

The Speaker (Mr. Charnley presiding) declared the House to be at ease.

The Speaker (Mr. Charnley presiding) called the House to order.

## MOTION

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

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2543, by Committee on Transportation (Originally sponsored by Senator Henry - by Governor Ray request):

- Making biennial appropriations for the operations and capital improvements of the state highway commission, the urban arterial board, and the Washington toll bridge authority.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 76th Day ex. sess., May 25, 1977.)

On motion of Mr. Conner, the committee amendments were adopted.

Mr. Burns moved adoption of the following amendment:

On page 3, after line 19 insert:

"(5) No funds appropriated in this section shall be expended on project no. 15304E on state route 5 as shown in the document published by the Washington state highway commission entitled 'Highway Construction Projects in the 1977-79 Biennium by Legislative District' dated March 9, 1977. In the event that funds are not expended for such project, the highway commission is hereby authorized to include in the 1977-79 operational budget a substitute category 'B' project or projects selected under the provisions of

chapter 47.05 RCW and to expend on such project or projects amounts up to, but not more than the amounts of federal and state funds appropriated for expenditure on project no. 15304E."

Representatives Burns and Nelson (Dick) spoke in favor of the amendment, and Representatives Gilleland, Conner and Greengo spoke against it.

#### POINT OF INQUIRY

Mr. Burns yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Burns, are we talking about \$260,000 or are we talking about \$12 million?"

Mr. Burns: "We are talking about \$260,000, Representative Douthwaite, as a part of the study. It's actually the \$550,000 study grant at the present time that would include not only the Mercer weave, but the State Route 520 problem which, as I said, I will address when we get to the amendments. Ultimately, if the study is completed, it leads to a \$12 million project."

Mr. Douthwaite spoke in favor of the amendment, and Mr. Patterson spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Burns to Substitute Senate Bill No. 2543, and the amendment was not adopted by the following vote: Yeas, 34; nays, 51; not voting, 13.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Burns, Charnley, Douthwaite, Enbody, Erickson, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Knowles, Kreidler, Lysen, Maxie, McKibbin, Nelson D., Pardini, Pearsall, Pruitt, Salatino, Sherman, Sommers, Valle, Vrooman, Walk, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Erak, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Hansen, Keller, King, Leckenby, Lee, Martinis, May, McCormick, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitten, Shinoda, Shipoch, Smith, Struthers, Taller, Thompson, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Eng, Fortson, Gaines, Haley, Kilbury, Knedlik, Lux, Moreau, North, O'Brien, Owen, Paris.

Mr. Burns moved adoption of the following amendment:

On page 3, after line 19 insert:

"(5) No funds appropriated in this section shall be expended for construction of project no. 13374F on state route 520 as shown in the document published by the Washington state highway commission entitled 'Highway Construction Projects in the 1977-79 Biennium by Legislative District' dated March 9, 1977. In the event that funds are not expended for such project, the highway commission is hereby authorized to include in the 1977-79 operational budget a substitute category 'C' project or projects selected under the provisions of chapter 47.05 RCW and to expend on such project or projects amounts up to, but not more than the amount of state funds appropriated for expenditure on project no. 13374F."

Representatives Burns, Hurley (George) and Douthwaite spoke in favor of the amendment, and Representatives Chandler, Dunlap and Gilleland spoke against it.

Mr. Nelson (Dick) spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Gilleland: "I think the gentleman is wandering far afield from the amendment, and is completely out of order."

The Speaker (Mr. Charnley presiding): "Representative Gilleland, the topic is very broad and I think he should be allowed to continue. Your time is running rather short, Representative Nelson."

Representative Nelson (Dick) continued his remarks in favor of the amendment, and Representatives Conner, Sanders and Knedlik spoke against it.

Mr. Hawkins spoke in favor of the amendment.

Mr. Charette demanded the previous question and the demand was sustained.

The Speaker resumed the Chair.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Burns to Substitute Senate Bill No. 2543, and the amendment was not adopted by the following vote: Yeas, 31; nays, 56; not voting, 11.

**Voting yea:** Representatives Becker, Bender, Blair, Burns, Charnley, Douthwaite, Enbody, Erickson, Grimm, Gruger, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Knowles, Kreidler, Lysen, Maxie, McKibbin, Nelson D., Pardini, Pearsall, Salatino, Sherman, Sommers, Valle, Vrooman, Warnke, Williams, Winsley.

**Voting nay:** Representatives Amen, Barnes, Barr, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Erak, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Hanna, Hansen, Keller, King, Knedlik, Leckenby, Lee, Martinis, May, McCormick, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Patterson, Polk, Pruitt, Sanders, Schmitt, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Walk, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

**Not voting:** Representatives Adams, Bauer, Eng, Fortson, Gaines, Haley, Kilbury, Lux, North, O'Brien, Paris.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2543 as amended by the House was placed on final passage.

Representatives Charette and Conner spoke in favor of the bill, and Mr. Hurley (George) spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2543 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 11; not voting, 13.

**Voting yea:** Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Chandler, Charette, Charnley, Clayton, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley M., Keller, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Martinis, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

**Voting nay:** Representatives Blair, Burns, Craswell, Douthwaite, Hawkins, Hurley G. S., Lysen, Nelson D., Sommers, Williams, Winsley.

**Not voting:** Representatives Adams, Clemente, Eng, Fortson, Gaines, Haley, Kilbury, Lux, Maxie, North, O'Brien, Pardini, Paris.

Substitute Senate Bill No. 2543 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. King, the House adjourned until 10:00 a.m., Thursday, June 16, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

NINETY-EIGHTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, June 16, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Adams, Deccio, Fortson, Gaines, Haley, Kilbury, Knowles, O'Brien, Paris, Taller, Williams and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Ogilvie and Laurie Keene. Prayer was offered by Reverend George 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.

MESSAGE FROM THE GOVERNOR

June 15, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 15, 1977, Governor Ray approved the following House Bills, entitled:

**SUBSTITUTE HOUSE BILL NO. 50:** Requiring speedometers on locomotives.

**SUBSTITUTE HOUSE BILL NO. 194:** Extending the definition of the "funds" of a mutual savings bank.

**HOUSE BILL NO. 195:** Extending time bonds of the Washington Future Program of 1972 may be issued.

**SUBSTITUTE HOUSE BILL NO. 225:** Granting resident status to immigrant refugees for college tuition.

**HOUSE BILL NO. 280:** Prohibiting an owner or harbinger of dogs to pursue or injure deer or elk.

**HOUSE BILL NO. 285:** Renaming Sun Lakes State Park to Victor Aloysius Meyers State Park.

**HOUSE BILL NO. 301:** Dispensing with the competitive bid requirement for counties when the amount involved is less than \$2500 instead of the present \$1000.

**HOUSE BILL NO. 316:** Revising licensing requirements for nursing home administrators.

**SUBSTITUTE HOUSE BILL NO. 348:** Permitting emergency suspension or restriction of nursing home operations.

**HOUSE BILL NO. 355:** Relaxing income limitations for retired persons' property tax exemption.

**SUBSTITUTE HOUSE BILL NO. 384:** Providing for the confidentiality of examination reports of financial institutions.

**SUBSTITUTE HOUSE BILL NO. 393:** Requiring information to be filed before the acquisition of control of a bank.

**SUBSTITUTE HOUSE BILL NO. 402:** Requiring state agencies to submit budgets that may or may not require increased taxes.

**HOUSE BILL NO. 414:** Modifying the collection of jury costs.

**HOUSE BILL NO. 448:** Authorizing the director of motor vehicles to issue cease and desist orders to real estate salesmen and making the order violation a ground for license suspension or revocation.

**SUBSTITUTE HOUSE BILL NO. 508:** Regulating the sale of hypodermic needles.

SUBSTITUTE HOUSE BILL NO. 512: Permitting counties, cities, and districts to make bank deposits of salaries.

SUBSTITUTE HOUSE BILL NO. 531: Providing for a unified system of risk management.

SUBSTITUTE HOUSE BILL NO. 572: Permitting variable interest loans on life insurance.

HOUSE BILL NO. 584: Permitting college and university professors to request trustee or regent approval to continue teaching beyond age seventy.

SUBSTITUTE HOUSE BILL NO. 619: Modifying investment authority of the state finance committee.

SUBSTITUTE HOUSE BILL NO. 643: Granting grandparent visitation rights.

HOUSE BILL NO. 653: Safeguarding the purchaser's contribution of money toward construction, completion, and maintaining improvements.

HOUSE BILL NO. 703: Revising the laws regulating motor vehicle wreckers.

HOUSE BILL NO. 733: Prescribing penalties for misuse of transporter plates.

SUBSTITUTE HOUSE BILL NO. 737: Allowing school districts to pay for insurance for students in interdistrict activities.

HOUSE BILL NO. 778: Authorizing voluntary deductions for group insurance premiums from state patrol retirement allowances.

HOUSE BILL NO. 825: Revising county road administration procedures relating to certificates of good practice.

SUBSTITUTE HOUSE BILL NO. 880: Implementing law relating to school principals and their powers and duties and allowing school district management teams.

HOUSE BILL NO. 933: Permitting roadside area information panels.

SUBSTITUTE HOUSE BILL NO. 1142: Requiring felony judgments to contain fingerprints of the person convicted.

HOUSE BILL NO. 1153: Creating handicapped persons priority in the services of the employment security department.

SUBSTITUTE HOUSE BILL NO. 1189: Requiring independent audits for nursing homes.

SUBSTITUTE HOUSE BILL NO. 1213: Authorizing housing authorities to purchase mortgage loans.

HOUSE BILL NO. 1232: Permitting catalytic converters to be removed from emergency vehicles.

HOUSE BILL NO. 1264: Making changes in the laws relating to the refunding of bonds.

Sincerely,

Joe Zaspel, Legislative Assistant.

#### MESSAGES FROM THE SENATE

June 15, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 183,

HOUSE BILL NO. 649,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 15, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2185,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 15, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 2382, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.



## REPORT OF CONFERENCE COMMITTEE

June 14, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2042, changing the requirements for a pilot's license, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Talley, Wanamaker, Mardesich; Representatives Conner, Charnley, Gilleland.

## MOTION

On motion of Mr. Conner, the House adopted the report of the Conference Committee and granted the powers of Free Conference.

## SIGNED BY THE SPEAKER

the Speaker (Mr. Charette presiding) announced The Speaker was signing:  
SECOND SUBSTITUTE HOUSE BILL NO. 1306.

## REPORT OF STANDING COMMITTEE

June 15, 1977

HOUSE BILL NO. 623, Prime Sponsor: Representative Bauer, exempting capital expenditures of nonprofit water associations from gross income for public utility tax purposes. Reported by Committee on Revenue.

MAJORITY recommendation: That the House do not concur in the Senate amendments.

Signed by Representatives Sommers, Chairwoman; Nelson (Gary), Ranking Minority Member; Eng, Erickson, Hurley (George), Kilbury, Moreau, Nelson (Dick), Tilly.

## MOTIONS

On motion of Mr. Bender, the rules were suspended, and House Bill No. 623 was advanced to second reading.

On motion of Mr. Bender, further consideration of House Bill No. 623 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

## SECOND READING

HOUSE BILL NO. 388, by Representatives McKibbin, Charnley, Boldt and Lux:

Exempting from property taxation up to two thousand dollars of valuation of property equipped with a solar energy heating or cooling system.

The bill was read the second time.

On motion of Ms. Sommers, Second Substitute House Bill No. 388 was substituted for House Bill No. 388, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 388 was read the second time.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 388 was placed on final passage.

Mr. Lysen spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Patterson.

Mr. Patterson: "I have a digest indicating that the same kind of exemption would apply to those people who would install insulation and other. Is that included in the bill? How about other methods of conservation? Is there any opportunity in the bill to address that question?"

Mr. Lysen: "Representative Patterson, as I read the bill it is limited to just solar improvements. The original bill did include other matters, but the committee decided to limit it to solar. Possibly in future sessions we can expand it more."

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Fuller.

Mr. Fuller: "On line 9 of the bill, it talks of water heating. Is this water heating inside a house or could it be a swimming pool, too?"

Mr. Lysen: "The intention is not really clear, but I think it could possibly expand to a swimming pool. The object is to save energy and that's our motivation."

## POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Bond.

Mr. Bond: "Representative Lysen, I notice on line 7 of the bill it describes solar equipment which meets minimum standards, and then there's the two words, 'if any.' Are there any standards?"

Mr. Lysen: "Yes, there are. They have prescribed standards now, and are in the process of continuing to develop standards for basically the protection of the public. Because this is a new field there is a lot of possibly questionable types of equipment in the field and so the HUD standards will be used the same as in housing materials, etc."

Representatives Nelson (Dick), Dunlap and Lysen spoke in favor of passage of the bill, and Mr. Bond spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 388, and the bill passed the House by the following vote: Yeas, 67; nays, 13; not voting, 18.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Douthwaite, Dunlap, Eng, Erak, Erickson, Fischer, Fuller, Gallagher, Greengo, Grimm, Gruger, Hanna, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Berentson, Bond, Craswell, Ehlers, Fancher, Flanagan, Gilleland, Grier, Hansen, Hawkins, Leckenby, Shinoda, Walk.

Not voting: Representatives Adams, Chandler, Deccio, Enbody, Fortson, Gaines, Haley, Kilbury, Knowles, Moreau, O'Brien, Pardini, Paris, Taller, Warnke, Williams, Wilson, and Mr. Speaker.

Second Substitute House Bill No. 388, 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.

## MESSAGE FROM THE SENATE

June 15, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 660, and has passed the bill as amended by the Conference Committee, and said bill, together with the Conference Committee report, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 9, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 660, establishing the Legislative Evaluation and Accountability Program Committee, have had the same under consideration, and we recommend that the following Senate amendments be stricken:

Page 1, line 3 of the title,

Page 2, line 32,

Page 4, line 14,

Page 4, line 27 striking new section 13,

Page 5, striking section 17

Page 5, beginning on line 3,

And that the following Senate amendments as concurred in by the House on June 1, 1977, be adopted:

Page 1, line 16,  
Page 3, beginning on line 21,  
Page 3, line 24,  
Page 3, line 30,  
Page 4, line 10.

Signed by Senators Donohue, Odegaard, Clarke; Representatives Polk, Shipoch, Thompson.

#### MOTION

On motion of Mr. Shipoch, the House adopted the report of the Conference Committee on Engrossed Substitute House Bill No. 660.

#### FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 660 as recommended by the Conference Committee.

#### POINT OF INQUIRY

Mr. Shipoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "As I recall this bill has been considerably debated in passing the House the first time. Could you bring me up to date as regards the resolution of the issue between you and Representative Thompson on the LEAP program as managed by the Data Processing Authority. Who's in charge?"

Mr. Shipoch: "Representative Thompson won."

Mr. Douthwaite: "Which means what?"

Mr. Shipoch: "The first vote through, relative to whether the LEAP committee should come under the Data Processing Authority was, I believe, 49 to 45. The second time through, when I moved that we concur with the Senate amendment, I think the vote was something like 70 to 14. I kept losing ground all the way. The LEAP committee is not under the Data Processing Authority."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 660 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 79; nays, 3; not voting, 16.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Fischer, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Leckenby, Pardini.

Not voting: Representatives Adams, Chandler, Deccio, Enbody, Fortson, Gaines, Haley, Kilbury, Knowles, Moreau, O'Brien, Paris, Taler, Warnke, Williams, Wilson.

Engrossed Substitute House Bill No. 660 as recommended by the 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.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 42, by Representatives Thompson and Kilbury:

Amending the Constitution to authorize approval of special levies by majority vote and permitting a single election in each twelve-month period.

The resolution was read the second time.

On motion of Mr. Thompson, Substitute House Joint Resolution No. 42 was substituted for House Joint Resolution No. 42, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 42 was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute House Joint Resolution No. 42 was placed on final passage.

#### MOTION

Mr. Bender moved that further consideration of Substitute House Joint Resolution No. 42 be deferred, and that the resolution be placed at the bottom of today's third reading calendar.

Mr. Pardini spoke against the motion.

The motion was carried.

#### MOTION

Mr. Newhouse moved that Second Substitute House Bill No. 388 and Engrossed Substitute Senate Bill No. 2697 be immediately transmitted to the Senate.

The motion was lost.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2818, by Committee on Energy and Utilities (Originally sponsored by Senator Walgren):

Authorizing local governments and agencies to lend credit for conservation of energy purposes.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 85th Day ex. sess., June 3, 1977.)

On motion of Mr. Lysen, the committee amendment to page 1, line 14 was adopted.

Mr. Lysen moved adoption of the committee amendment to page 1, line 19.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Oliver.

Mr. Oliver: "I'm concerned about the area regarding the State Energy Office to provide a statewide energy conservation program. Does this conservation program include also planning for additional growth for energy needs which will be outside the ramifications of conservation? Also, with regards to the newspaper handout that went around I'd like to know your position stating your reference back to conservation versus nuclear power and other energy-related sources."

Mr. Lysen: "Absolutely there is a need for energy growth in this state and the energy plan under the Energy Office absolutely must take this into consideration. In fact it's the major part of their responsibility to see that we will have adequate energy supplies in the future. In reference to the newspaper handout, the only point I was making there was that if we were to have that \$300 million in installation it would save us \$800 million in investment in nuclear power plants. That's about 40% of a new plant so in no way does it reduce the overall need, but it puts it up that it is a consideration. We should be very much aware that energy efficiency is a very high priority as well as energy development."

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Lysen, is this bill worded in such a way that it is dependent on final passage of Senate Joint Resolution No. 116?"

Mr. Lysen: "Yes."

Mr. Flanagan: "In other words, it's null and void unless SJR 116 is passed?"

Mr. Lysen: "That's right."

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Gilleland.

Mr. Gilleland: "Giving local governments the authority to go into the installation of heating/cooling equipment would be in competition with private industry, as I read this. Am I right or wrong?"

Mr. Lysen: "Representative Gilleland, what happened in the case of hot water heaters is the same here, it is all handled by private business. All that's done is that the payment for the hot water heater, for example, is handled through your utility bill, but the installation, the sale and so forth, is all handled by independent private business. A lot of small businessmen are not in a position to carry contracts over a number of years. This is just a helpful approach where the utility can guarantee financing, but the actual work will all be done in the private sector."

Mr. Gilleland: "In the water heater program we didn't have to lend the state's credit. Why should we have to do so now? This is a similar program."

Mr. Lysen: "As I understand it, the Assistant Attorney General in the auditing division feels that because a hot water heater can be repossessed, can be taken back, it's not a permanent installation. You put insulation in the walls and you can't take it back. Therefore it is a very limited part of lending the credit of the state. That's the distinction that requires this constitutional amendment. You actually can take back a water heater. The lien is against the hot water heater and not against the house, and in this case, it would have to be against the house because you can't tear insulation out of the walls."

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Lysen, I was just wondering on this committee amendment, if you could give me the definition of 'customers who are poor or infirm'? What does it take to qualify for this?"

Mr. Lysen: "That's presently in the state Constitution and there are legal definitions for that where there could be a chance for federal funds or money for welfare recipients. This would be a pass-through procedure. In no way would utility funds be used to subsidize this program. The rate payers' fund would be separate and there would be no subsidy. They would pay the full cost of the value plus the interest. This is just a financing mechanism and there is a legal, well-defined case law for a legal definition of that term."

Mr. Tilly spoke against adoption of the committee amendment.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Leckenby.

Mr. Leckenby: "Apparently the need for this legislation and the constitutional amendment is brought up because the installation of insulation cannot be attached as you say. Is there anything to stop a publicly-owned utility from just filing a lien on the entire structure? If that could be done why is it necessary to have the constitutional amendment and this bill?"

Mr. Lysen: "Representative Leckenby, as I understand this, and we have discussed this to some extent, when you file a lien against the property, that is lending the credit. That's what lending the credit means. That's why the constitutional amendment is necessary. You are not putting up a repossessable item. This is the actual property that they can't repossess, the total house for a small lien. You are lending the credit."

Mr. Leckenby spoke against the committee amendment, and Representatives Martinis, Lux and Lysen spoke in favor of it.

The committee amendment was adopted.

On motion of Mr. Lysen, the committee amendments to page 2 were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2818 as amended by the House was placed on final passage.

Mr. Lysen spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Hansen.

Mr. Hansen: "The amendments we just passed say that this won't be an obligation against the people paying the bills. In a private utility they make these kinds of arrangements and with a lien on the property or something that has to be added into the overall cost. How can the state lend its credit without taking any obligation to having this paid back?"

Mr. Lysen: "Possibly I didn't make it clear. It is presently the interpretation of some of the attorneys in the Attorney General's Office that public utilities cannot lend their credit and cannot file liens because it would be lending the credit. This will allow them to do that and they will be able to file the liens and be sure they are repayed. It allows them to file the same liens that the private utilities can now do. In no way does this limit them from collecting and going after that debt."

#### POINT OF INQUIRY

Mr. Lysen yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Lysen, first I think the words, 'public utilities,' as used in this debate, is a misnomer in my opinion. Puget Power and Bell Telephone Company are also public utilities. You mean municipally-owned and PUD utilities. My question revolves around giving the credit of the state, and how much assurance we have of its return. Is there any requirement that if the utility invests a good deal of money in some residence that they are protected to the extent of the homeowner having casualty insurance on that property so if there is a loss of the building, the utility would collect from the liability insurance?"

Mr. Lysen: "My judgment would be that this would be a management decision which the utility would obviously have to make. I would think prudence would demand that they do that."

Representatives Douthwaite, Leckenby and Martinis spoke in favor of passage of the bill, and Representatives Polk and Tilly spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2818 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 23; not voting, 14.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fuller, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, Oliver, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Fancher, Flanagan, Gallagher, Gilleland, Greengo, Nelson G. A., Newhouse, Pardini, Patterson, Polk, Sanders, Schmitten, Struthers, Tilly.

Not voting: Representatives Adams, Deccio, Fortson, Gaines, Haley, Kilbury, Knowles, O'Brien, Paris, Taller, Warnke, Williams, Wilson, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2818 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.

The Speaker (Mr. Charette presiding) declared the House to be at ease until 2:00 p.m.

The Speaker (Mrs. McCormick presiding) called the House to order.

#### MESSAGES FROM THE SENATE

June 16, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 49,  
 SUBSTITUTE HOUSE BILL NO. 68,  
 SUBSTITUTE HOUSE BILL NO. 581,  
 SUBSTITUTE HOUSE BILL NO. 928,  
 SUBSTITUTE HOUSE BILL NO. 936,  
 SUBSTITUTE HOUSE BILL NO. 1265,  
 SUBSTITUTE SENATE BILL NO. 2382,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 16, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2543, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

### SECOND READING

On motion of Mr. Bender, the House resumed consideration of House Bill No. 623.

HOUSE BILL NO. 623, by Representatives Bauer and Zimmerman:

Exempting capital expenditures of nonprofit water associations from gross income for public utility tax purposes.

Ms. Sommers moved that the committee report be adopted.

### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Charette.

Mr. Charette: "Representative Sommers, will you explain what the committee report is?"

Ms. Sommers: "Representative Charette, the committee report is a do pass recommendation on the original bill as passed by the House. That is to exempt from the B&O certain other receipts of nonprofit water districts. In addition the committee recommended that the Senate amendments not be adopted. The Senate amendments were with regard to surcharges for excess or additional special purchases of energy and were found to be without the scope and object of the bill."

### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "The committee report is a recommendation that we do not concur in the Senate amendments, which is not a typical procedure. Is there a precedence wherein we could move to not adopt the committee report thereby making it a positive motion to concur in the Senate amendments? Would that have precedence?"

The Speaker (Mrs. McCormick presiding): "To not adopt the committee report, Representative Pardini, would be to vote against this motion."

Mr. Pardini: "I recognize that, but to move to not adopt the committee report would place us in a positive position to concur with the Senate amendments. The motion to concur always has precedence over the motion not to concur."

The Speaker (Mrs. McCormick presiding): "Representative Pardini, the motion before us is a positive motion, so you are out of order. The question before the House is the motion to adopt the committee report."

Representatives Pardini, Newhouse and Charette spoke against the motion, and Representatives Bauer and Zimmerman spoke in favor of it.

### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Zimmerman, you say that we are more likely to lose the bill if we accept this report?"

Mr. Zimmerman: "I think it would be the simplest way if we could all agree that we have fifty votes to go through and vote this all out just as it is. Somehow or other I understand that between the Revenue Committee and some other things that have been done we are supposed to separate the issue. Personally, if fifty people out here would vote and get this out and go home, I'm in favor of that, but at this point I guess that's not the game plan, so I'm saying let's separate the issue, vote and get it done. Simplicity is not the way we function around here, I guess."

### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Newhouse, which is the most direct way of getting both of these issues before us and passed by both houses?"

Mr. Newhouse: "To me the answer is quite simple. The bill as amended by the Senate has passed. To get those issues we would simply have to concur with this amendment and pass the bill as amended by the Senate. Then fifty votes would accomplish it right now today."

Representatives Leckenby and Winsley spoke against the motion, and Mr. Smith spoke in favor of it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barnes: "I understand that there are two issues involved here and I would like you to see if I'm correct. If we reject the committee recommendation, we will keep both issues if we pass the bill?"

The Speaker (Mrs. McCormick presiding): "The Senate amendments to House Bill No. 623 were ruled to have changed the scope and object of the bill in accordance with House Rule No. 31. As in the past, the bill, with the Senate amendments, was referred to committee to take the same course as for original bills. The bill is now on the second reading calendar. If the report of the Revenue Committee is adopted, that is to not adopt the Senate amendments, the bill will be returned to the Senate as a nonconcurrence with the Senate amendments. If the report is rejected, the new language is adopted and the bill will require a final passage vote."

Mr. Barnes spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the Revenue Committee report be adopted to House Bill No. 623, and the motion was lost by the following vote: Yeas, 38; nays, 45; not voting, 15.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Burns, Charnley, Clemente, Conner, Douthwaite, Enbody, Eng, Fischer, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., King, Kreidler, Lux, Lysen, Maxie, McCormick, McKibbin, Nelson D., North, Owen, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Boldt, Bond, Chandler, Charette, Clayton, Craswell, Dunlap, Ehlers, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grier, Hansen, Hurley M., Keller, Knedlik, Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Pardini, Patterson, Pearsall, Polk, Salatino, Sanders, Schmitt, Shinoda, Struthers, Tallor, Tilly, Vrooman, Whiteside, Winsley.

Not voting: Representatives Adams, Deccio, Fortson, Gaines, Haley, Kilbury, Knowles, Martinis, Moreau, O'Brien, Paris, Warnke, Williams, Wilson, and Mr. Speaker.

#### MOTION FOR RECONSIDERATION

Mr. Knedlik, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the Committee on Revenue report to House Bill No. 623 was not adopted.

The Speaker (Mrs. McCormick presiding) declared the House to be at ease.

The Speaker (Mrs. McCormick presiding) called the House to order.

The Speaker (Mrs. McCormick presiding) stated the question before the House to be the motion for reconsideration by Representative Knedlik.

Mr. Knedlik spoke in favor of the motion.

#### MOTION

Mr. Pardini moved that in accordance with Reed's Rule 201, the House of Representatives of the 45th Legislature First Extraordinary Session, set Sunday, June 19th at 6:00 p.m. as the date of the sine dine adjournment.

#### POINT OF ORDER

Mr. Bender: "Is the motion to reconsider a higher motion?"

#### SPEAKER'S RULING (MRS. McCORMICK PRESIDING)

The Speaker (Mrs. McCormick presiding): "The motion to reconsider is of higher ranking order so your motion, Representative Pardini, is out of order."

#### POINT OF ORDER

Mr. Pardini: "To fix the date of adjournment is debatable and amendable. There is no precedence except where no regular time has been fixed to which the assembly shall adjourn."



In that case, it has precedence even over the motion to adjourn. The highest ranking motion is the motion to adjourn and where no date has been set my motion has precedence over that. I believe the Chair is in error."

**POINT OF ORDER**

Mr. Bender: "According to House Rule 46, Representative Pardini's motion is out of order because the motion has to be reduced to writing."

The Speaker (Mrs. McCormick presiding): "Your point is well taken, Representative Bender."

**MOTION**

On motion of Mr. Bender, the House adjourned until 11:00 a.m., Friday, June 16, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

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 NINETY-NINTH DAY
 

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 MORNING SESSION
 

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House Chamber, Olympia, Wash., Friday, June 17, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. King presiding). The Clerk called the roll and all members were present except Representatives Adams, Bauer, Becker, Bond, Dunlap, Haley, Hurley (Margaret), Knowles, North, O'Brien, Pardini, Paris and Smith, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Capaso and John Vik. Prayer was offered by Reverend George 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.

## SPEAKER'S RULING (MR. KING PRESIDING)

The Speaker (Mr. King presiding): "Yesterday Representative Pardini made a motion that the House set Sunday, June 19th as the date of adjournment sine die in accordance with Reed's Rule 201. This motion was not in order and has no privilege whatever over other motions. Reed's Rule 201 discusses the motion to fix the date of adjournment. It does not speak to adjournment sine die. To adjourn means to postpone action of the body to another time specified. To adjourn sine die means adjournment without day. It is a final dissolution of that session of the body. If you will read Reed's Rule 201 and also Reed's Rule 171, you will see that a motion to fix the time to which the assembly shall adjourn has no privilege over pending motions where there is fixed a regular time to which the assembly shall adjourn. House Rule 46 sets the time to which this assembly shall adjourn at 10:30 a.m. each day. The motion to fix the date or the time to which the assembly shall adjourn is privileged only when a motion to adjourn would otherwise dissolve the assembly. Reed's Rule 170 which states in part, 'When an assembly has not fixed the date to which it shall adjourn, . . . an adjournment would be equivalent to a dissolution, and would have no privilege whatever over other motions.' Adjournment sine die is a final adjournment or dissolution of a body and has no privilege as stated in Reed's Rule 170. In any case, Article II, section 2 of the Constitution prohibits either house from adjourning more than three days without the consent of the other which is why adjournment sine die is always done pursuant to a concurrent resolution. The motion is not in order."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "We notice that in Reed's Rule 201, that it does refer to fixing the day of adjournment as well as to adjourn and treats them as separate matters. For that reason we would question the ruling of the Chair regarding the motion made yesterday, and point to the possibility of fixing the day of adjournment, it does not relate in any way to sine die. It seems to us that in that the two are addressed separately, to adjourn and to fix the day of adjournment, that would imply that it does refer to sine die."

The Speaker (Mr. King presiding): "If you will refer to Reed's Rule 201, under fixing the day of adjournment, it uses the language, ' . . . except when a regular time to which the assembly shall adjourn.' House Rule 40 fixes a time to which the assembly shall adjourn. It would not be applicable."

Mr. Berentson: "Mr. Speaker, I might bring your attention to the motion itself, which did indeed fix the time of adjournment."

The Speaker (Mr. King presiding): "He was fixing a time for adjournment sine die and we've also stated that cannot be done without a concurrent resolution."

## MESSAGE FROM THE SENATE

June 16, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 271,  
 SUBSTITUTE HOUSE BILL NO. 952,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1306,  
 SUBSTITUTE SENATE BILL NO. 2543,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MESSAGE FROM THE SENATE

June 16, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 13, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120, enacting an alternative to Initiative 59, have had the same under consideration, and we recommend the following:

That the Senate amendments be adopted with the following amendments:

On page 1 of the Senate amendments, beginning on line 6 strike all of section 1 and renumber the remaining sections consecutively.

On page 2 of the Senate amendments, line 38, strike "registered mail" and insert "certified mail, with acknowledgment of receipt of summons executed by defendant required."

Amend the title—On page 3 of the Senate amendments, beginning on line 26 strike "amending section 14, chapter 117, Laws of 1917 and RCW 90.03.110;"

Signed by Senators Gaspard, Benitz, Washington; Representatives Charette, Newhouse, Valle.

## MOTION

On motion of Mrs. Valle, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
 AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. King presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1120 as amended by the Free Conference Committee.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Newhouse, under existing law, the state can initiate an adjudication. Also any individual can initiate an adjudication. What changes does this make from existing law that is of any importance?"

Mr. Newhouse: "The major change, in my opinion, Representative Flanagan, which this bill would make would be in the notice of landowners or those who claim water rights. Under existing law you would have to have a deputy sheriff serve each one individually, which can be very, very expensive procedure when there are thousands of claimants to water rights. This situation would allow the use of certified mail with a return receipt required. Obviously, the difference then would be for each one a dollar or two as compared with maybe fifteen or twenty dollars, or maybe double that, in finding the individual water right claimants and serving the notice, because we are involved with property rights. The original request asked by the Attorney General was that he be allowed to serve this original notice only by use of a general map. That section has been withdrawn. The notice requirements, in my opinion, are the principle change."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1120 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 78; nays, 2; not voting, 18.

Voting yea: Representatives Amen, Barr, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Gallagher, Hansen.

Not voting: Representatives Adams, Barnes, Bauer, Becker, Bond, Clemente, Deccio, Dunlap, Haley, Hughes, Hurley M., Knowles, North, O'Brien, Pardini, Paris, Salatino, Smith.

Engrossed Substitute House Bill No. 1120 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.

## MESSAGE FROM THE SENATE

June 16, 1977

Mr. Speaker:

The House has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1310, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 13, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1310, defining "date of filing" with regard to a permit for a variance or a conditional use under the shoreline management act, have had the same under consideration, and we recommend that the Senate amendments not be adopted, and the following substitute amendments be adopted:

On page 5, line 31 after "1969" strike "(;)", or "and insert "; ((or)) and"

Beginning on page 5, line 32 after "(b)" strike all material down to and including "(c)" on page 6, line 7 and insert:

"(((i) Sales of lots to purchasers with reference to the plat, or substantial development incident to platting or required by the plat, occurred prior to April 1, 1971, and

(ii) The development to be made without a permit meets all requirements of the applicable state agency or local government, other than requirements imposed pursuant to this chapter, and

(iii) The development does not involve construction of buildings, or involves construction on wetlands of buildings to serve only as community social or recreational facilities for the use of owners of platted lots and the buildings do not exceed a height of thirty-five feet above average grade level, and  
(iv)))"

Signed by Senators Washington, Ridder, Murray; Representatives Valle, Douthwaite, Zimmerman.

## MOTION

Mrs. Valle moved that the House adopt the report of the Free Conference Committee.

Mrs. Valle spoke in favor of the motion.

## POINT OF INQUIRY

Mrs. Valle yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Valle, in connection with the conference report, do you feel that in this conference report that we are in any way rescinding or affecting those persons who were originally exempt under the Shorelines' Management Act of 1971, in terms of those persons who had preliminary plats or final plats and therefore were exempt then? Are they still exempt? Do you see us as affecting that group of people?"

Mrs. Valle: "I feel that the original intent of the Shorelines' Management Act is reflected in the Senate Journal and that is the intent of the corrections to the Shorelines' Management Act as now stated in the Free Conference report."

Mr. Zimmerman: "In other words, it is a reiteration of that original intent as expressed in the Senate Journal of 1971?"

Mrs. Valle: "That is correct."

Mr. Zimmerman: "I think it's important that be established. Those of us on the Conference Committee did not intend to wipe out exemptions without adequate notice and without adequate understanding of what any of the changes would be. I would hope we can establish that we are not intentionally or unintentionally disturbing that relationship and would hope that if there are persons who fall into that category they will have adequate opportunity, through their local governmental agencies and the Department of Ecology, to be sure that they can proceed. Certainly there have been some questions, but this was not looked upon as a major bill at the time it was started, and some of the controversy did surround this 1971 interpretation in the Senate Journal."

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. King presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1310 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1310 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 77; nays, 1; not voting, 20.

Voting yea: Representatives Amen, Barr, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Zimmerman.

Not voting: Representatives Adams, Barnes, Bauer, Becker, Bond, Clemente, Deccio, Dunlap, Haley, Hanna, Hughes, Hurley M., Knowles, North, O'Brien, Pardini, Paris, Salatino, Smith, Williams.

Substitute House Bill No. 1310 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.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. King presiding) announced the Speaker was signing:  
 SUBSTITUTE HOUSE BILL NO. 120,  
 SECOND SUBSTITUTE HOUSE BILL NO. 391,  
 SUBSTITUTE HOUSE BILL NO. 1132,  
 SENATE BILL NO. 2185,  
 SUBSTITUTE SENATE BILL NO. 2382.

#### MESSAGE FROM THE SENATE

June 16, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2042, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 14, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2042, making changes in the requirements for a pilot's license, have had the same under consideration, and we recommend that the House amendments be adopted as follows:

On page 9, line 7 strike "member" and insert "members"

On page 9, line 18 after "(6)" insert "All pilots and"

On page 10, in lines 23, 24 and 25 after "who shall" insert "knowingly"

On page 12, line 32 after "RCW." insert "The board shall prescribe the time of and method for retention of forms which have been signed by the master of a vessel in accordance with the provisions of this section."

And that the remaining House amendments be stricken and the following amendments be adopted:

On page 2 of the printed engrossed bill, beginning on line 15, strike all of the material down to and including "board." on page 4 and insert the following:

"Sec. 2. Section 1, chapter 18, Laws of 1935 as last amended by section 73, chapter 151, Laws of 1977 1st ex. sess. and RCW 88.16.010 are each amended to read as follows:

(1) The board of pilotage commissioners of the state of Washington is hereby created and shall consist of the secretary of the department of transportation of the state of Washington, or the secretary's designee who shall be an employee of the department of transportation, who shall be (~~chairman of the board, and of four~~) chairperson, and six members appointed by the governor and confirmed by the senate. Each of said appointed commissioners shall be appointed for a term of four years from the date of (~~his~~)said member's commission. No person shall be eligible for appointment to said board unless that person is at the time of appointment eighteen years of age or over and a citizen of the United States and of the state of Washington. Two of said appointed commissioners shall be pilots licensed under this chapter and actively engaged in piloting upon the waters covered by this chapter for at least three years immediately preceding the time of (~~their~~) appointment. Two of said appointed commissioners shall be actively engaged in the ownership, operation or management of deep sea cargo and/or passenger carrying vessels for at least three years immediately preceding the time of (~~their~~) appointment. One of said shipping (~~individuals~~) commissioners shall be a representative of American and one of foreign shipping. The remaining commissioners shall be persons interested in and concerned with pilotage, maritime safety, and marine affairs, with broad experience related to the maritime industry exclusive of experience as either a state licensed pilot or as a shipping representative.

(2) Pilotage commissioners holding commissions on the effective date of this 1977 amendatory act, shall continue to hold their office subject to reappointment by the governor and confirmation by the senate. The appointed commissioners shall continue to hold office for the period for which they are appointed and until their successors are appointed and qualified, (~~and~~) except that the governor when first appointing commissioners after the effective date of this 1977 amendatory act, shall appoint the pilot representatives to terms of two and three years respectfully, the shipping representative to terms of two and three years respectfully, and the remaining commissioners to terms of three and four years respectfully. Any vacancy in an appointed position on the board shall be filled by the governor for a term of four years, subject to confirmation by the senate.

(3) Five members of the board shall constitute a quorum. All commissioners and the chairperson shall have a vote.

Sec. 3. Section 2, chapter 18, Laws of 1935 as last amended by section 74, chapter 151, Laws of 1977 1st ex. sess. and RCW 88.16.020 are each amended to read as follows:

The department of transportation of the state of Washington shall be the office of the board and all records shall be kept in said office. Each pilotage commissioner shall receive the sum of (~~twenty-five~~) forty dollars per day for each day actually engaged in the conduct of the business of the board, together with travel expenses, in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, to be paid out of the pilotage account on vouchers approved by the (~~chairmen~~) chairperson of the board: PROVIDED, That the sums received under this section shall not be considered compensation earnable as defined pursuant to RCW 41.40.010(8).

The board is authorized to employ personnel, pursuant to chapter 41.06 RCW, as necessary to conduct the business of the board.

On page 10, after line 32 strike the entire section through and including "rest." on page 11, line 8 and insert:

"(1) Pilots, after completion of an assignment or assignments which are seven hours or longer in duration, shall receive a mandatory rest period of seven hours.

(2) A pilot shall refuse a pilotage assignment if said pilot is physically or mentally fatigued or if said pilot has a reasonable belief that the assignment cannot be carried out in a competent and safe manner. Upon refusing an assignment as herein provided a pilot shall submit a written explanation to the board. If the board finds that the pilot's written explanation is without merit, or reasonable cause did not exist for the assignment refusal, such pilot may be subject to the provisions of RCW 88.16.100 as now existing or hereafter amended.

(3) The board shall quarterly review the dispatch records of pilot organizations or pilot's quarterly reports to ensure the provisions of this section are enforced. The board may prescribe rules for rest periods pursuant to chapter 34.04 RCW."

On page 15, after line 12 insert the following new section:

"NEW SECTION. Sec. 16. There is added to chapter 88.16 RCW a new section to read as follows:

Any vessel designed for the purpose of carrying as its cargo liquefied natural or propane gas shall adhere to the provisions of RCW 88.16.190(2) as though it was an oil tanker."

Renumber the remaining sections consecutively, and correct internal references accordingly.

On page 1, line 1 of the title after "pilotage;" and before "amending" on line 5, strike all of the material and insert: "amending section 1, chapter 18, Laws of 1935 as last amended by section 73, chapter 151, Laws of 1977 1st ex. sess. and RCW 88.16.010; amending section 2, chapter 18, Laws of 1935 as last amended by section 74, chapter 151, Laws of 1977 1st ex. sess. and RCW 88.16.020;"

Signed by Senators Talley, Wanamaker, Mardesich; Representatives Conner, Gilleland, Charnley.

#### MOTION

On motion of Mr. Conner, the House adopted the report of the Free Conference Committee.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. King presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2042 as amended by the Free Conference Committee.

Mr. Conner spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The last amendment, section 16, which refers to the liquefied natural gas or propane tankers adhering to the provisions of RCW 88.16.190, does that mean that they shall adhere to those tug boat escort provisions?"

Mr. Conner: "Yes, they would adhere to the same provisions as an oil tanker. They would be required to have a pilot and would also be required to have an escort."

Mr. Douthwaite: "If they were in excess of 40,000 deadweight tons?"

Mr. Conner: "That's correct."

Representatives Douthwaite and Charnley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2042 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 74; nays, 2; not voting, 22.

Voting yea: Representatives Amen, Barr, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shipoch, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Shinoda, Taller.

Not voting: Representatives Adams, Barnes, Bauer, Becker, Bond, Clemente, Deccio, Dunlap, Flanagan, Gruger, Haley, Hanna, Hughes, Hurley M., Knowles, North, O'Brien, Pardini, Paris, Salatino, Smith, Zimmerman.

Engrossed Senate Bill No. 2042 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.

#### MESSAGE FROM THE SENATE

June 16, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2516, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2516, revising the laws relating to apiaries, have had the same under consideration, and we recommend that the bill be additionally amended as follows:

On page 3, line 10 after "year." insert "A registration fee may be set by the department of agriculture in compliance with 34.04 RCW for the sole purpose of covering the expenses of the apiary board."

Signed by Senators Gaspard, Benitz, Wilson; Representatives Becker, Boldt, Amen.

## MOTION

On motion of Mr. Kilbury, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. King presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2516 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2516 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 76; nays, 0; not voting, 22.

Voting yea: Representatives Amen, Barr, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charney, Clayton, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grimm, Gruger, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Barnes, Bauer, Becker, Bond, Clemente, Deccio, Dunlap, Gallagher, Grier, Haley, Hanna, Hughes, Hurley M., Knowles, Leckenby, North, O'Brien, Pardini, Paris, Smith, and Mr. Speaker.

Engrossed Senate Bill No. 2516 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.

## REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2419, excluding law enforcement officers from the prohibition of recording private communications, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Francis, Clarke, Mardesich; Representatives Knowles, Newhouse, Enbody.

## MOTION

Mr. Enbody moved that the House adopt the report of the Conference Committee, and grant the committee the powers of Free Conference.

Representatives Enbody and Newhouse spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

June 16, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 1133, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Report, is herewith transmitted.

Bill Gleason, Assistant Secretary.



## REPORT OF FREE CONFERENCE COMMITTEE

June 4, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 1133, authorizing certain golfing sweepstakes under gambling act, have had the same under consideration, and we recommend that the bill be amended as follows:

That the Senate committee amendment as amended be adopted, with the following amendments:

On page 14, subsection (6), line 15 strike all material beginning on line 15 through line 4, page 15, and renumber the following subsections consecutively.

On page 16, line 32 strike all of subsection (9).

On page 21, subsection (15), line 31 after "organizations" strike "or card rooms"

On page 34, line 24 strike all of section 18 and renumber the remaining section consecutively.

Signed by Senators Van Hollebeke, Morrison, Bausch; Representatives Warnke, Conner, Fancher.

## MOTION

On motion of Mr. Warnke, the House adopted the report of the Free Conference Committee.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. King presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1133 as amended by the Free Conference Committee.

Mr. Conner spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Warnke, in this Free Conference report, is there any facet of the report to which the Gambling Commission would object, or has not given approval?"

Mr. Warnke: "Representative Newhouse, there is not. All except two of the items, which were spoken to by Representative Conner, were requested by the Gambling Commission in dealing with such things as the definition of a stimulant and all the rest of the things are measures they felt they needed to tighten up the gambling activities. They have approved even those two items."

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Eng.

Mr. Eng: "Representative Conner, this bill authorizes private clubs to permit gambling by their members. Does this mean clubs like the Elks, the Eagles, the Moose, and so forth? Would the Gambling Commission allow gambling to be displayed in these clubs if they discriminate in relation to race?"

Mr. Conner: "I believe that's against state law relative to discrimination with regard to race, creed, color, sex and age."

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Conner, doesn't this bill now allow card playing to take place in restaurants, and isn't that a new opportunity?"

Mr. Conner: "It says only Class H licenses and that's in section 7. It authorizes private clubs. There's presently some three hundred Class H licensed clubs in the state and there are only one hundred four that have a liquor license, and it would only apply to those who have a liquor license. It would allow their members only to have card games under the rules and regulations of the Gambling Commission, but they would not require a gambling license."

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Chandler.

Mr. Chandler: "Representative Warnke, it says, 'The legislature hereby authorizes any person, association, or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games. . . .' It says nothing about a Class H license, nor does it say anything about being a nonprofit organization, or an organization that is a private club. To me that language very clearly says that if I own a restaurant and sell hamburgers, I can open a card room."

Mr. Warnke: "Representative Chandler, this is a request from the Gambling Commission to try and tighten up what is commonly known as a commercial stimulant. The commission still has full authority to establish the guidelines under which the commercial stimulant may be used in any activity. That language was brought to us by the Gambling Commission."

Representatives Chandler and Charnley spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Pruitt.

Mr. Pruitt: "In section 1, subsection (15) it says, 'Member. As used in this chapter, member means a member of an organization eligible to be licensed by the commission. . . .' and it says, 'No person shall be a member of any organization if that person's primary purpose for membership is to be a participant in gambling.' Some churches are involved with bingo. Does this apply to churches also?"

Mr. Conner: "Not that particular section. For bingo, the general public can play and they cannot if they have a liquor license. The general public cannot go where drinks are sold while they are engaged in any type of gambling activities. Under the rules of the Gambling Commission, on these activities we are talking about fund raisers, and it says as well as card games, they can't play there unless they are a bona fide member of that particular organization and meet the rules and regulations of the Gambling Commission."

Mr. Pruitt: "Does this impact membership of churches? Could the Gambling Commission make any decision as to whether a member is a qualified member of the church organization?"

Mr. Conner: "I wouldn't think so. My answer would be no."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1133 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 61; nays, 19; not voting, 18.

Voting yea: Representatives Bender, Berentson, Boldt, Burns, Charette, Clayton, Conner, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Hansen, Hawkins, Heck, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson G. A., Newhouse, Owen, Patterson, Pearsall, Polk, Salatino, Sherman, Shinoda, Shinpoch, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Blair, Chandler, Charnley, Craswell, Douthwaite, Greengo, Gruger, Lee, Lysen, Nelson D., Oliver, Pruitt, Sanders, Schmitt, Tilly, Williams, Zimmerman.

Not voting: Representatives Adams, Barnes, Bauer, Becker, Bond, Clemente, Deccio, Dunlap, Haley, Hanna, Hughes, Hurley M., Knowles, North, O'Brien, Pardini, Paris, Smith.

Engrossed House Bill No. 1133 as amended by the Free Conference Committee, having received the constitutional sixty-percent 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 (Mr. King presiding) declared the House to be at ease until 2:00 p.m.

The Speaker (Ms. Sherman presiding) called the House to order.

## REPORT OF CONFERENCE COMMITTEE

June 15, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2435, providing for disposition of operating fees charged at institutions of higher education, have had the same under consideration, and we request the powers of Free Conference in order to amend the bill.

Signed by Senators Odegaard, Donohue, Scott; Representatives Thompson, Erickson, Chandler.

## MOTION

Ms. Erickson moved that the House adopt the report of the Conference Committee and grant the committee the powers of Free Conference.

Representatives Erickson, Thompson and Chandler spoke in favor of the motion, and Mr. Shinpoch spoke against it.

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Amen.

Mr. Amen: "Representative Shinpoch, section 2 says 'In order that each community college treasurer appointed in accordance with section 1 of this act may make vendor payments, the state treasurer will honor warrants drawn by each community college providing for one initial advance. . . .' Can't the treasurer do his job without that advance being made?"

Mr. Shinpoch: "In some instances in some community colleges, the answer is yes, they can do it without setting up any additional fund. With other community colleges that's not so, but the proposal here is not to set up money for cash flow within the community colleges, the proposal here is that you give them an advance—a one-month advance. Some of them have other local funds and they can certainly handle this, but we've been working with the state board for some time to set up a cash flow account in the local community colleges, but that's not this proposal."

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "How would you then propose that if a community college is provided a treasurer as the four-year colleges have, that they have the adequate money to operate without an advance situation?"

Mr. Shinpoch: "I would propose that we set up cash flow for goods and services only. That it does not include any of the money that pertains to instruction, to their payroll or anything that they require other than goods and services, maintenance and those things they buy. I would propose that we set up a cash flow account as exists in the four-year schools. They use their local funds to do that same thing, and I would propose that we handle it in that fashion. It appears to me that this type of an advance is overkill."

Mr. Newhouse: "Then it would not be inconsistent to handle the faculty salaries and so forth differently than goods and services which are purchased, and would not have to advance so much money from the state treasury to each individual treasurer for the system you propose?"

Mr. Shinpoch: "That's correct. In fact, that's what they asked for. In my dealings with the state board, to set up local funds, they originally came in and wanted \$100,000 for each one. I told them I didn't understand that. If they have seven or eight hundred students and in places like Western with nine or ten thousand that runs on \$25,000 to \$30,000, why should we put \$100,000 in something that has ten percent of the expenses. They came back and said \$1.1 million would do that and I think that's probably even too much. The only thing you're dealing with when you talk about the warrants to be drawn at that local level—it doesn't come out on the regular allotment to be honored by the goods and services portion that they purchase."

## POINT OF INQUIRY

Ms. Erickson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "There is one caveat there in the middle of section 2, which states, '... for such budgeted biennium expenditures as certified by the office of program planning and fiscal management.' I assume that is a screen or a filter which will keep a hawk eye on the kinds of bills which can be paid at this point. Would you elaborate why OPP&FM is involved here?"

Ms. Erickson: "As I understand it, this is not intended for the larger amounts for the larger payments, but rather to allow the community colleges to have the ability to deal at their local levels to pay for the emergencies that come up and make minor capital improvements. The four-year colleges frequently have other sources of revenue they can use. Frequently community colleges do not have any kind of a cash flow at all. This is simply trying to give them those kinds of abilities so they don't have to send the warrants for every single small thing to the state, and yet this would require them to have fiscal responsibility."

Mr. Douthwaite: "If OPP&FM thought there was some reason they should not receive those warrants, they could withhold such payment and thus protect the intent of the budgeted legislative items?"

Ms. Erickson: "That's right."

The motion was carried.

## REPORTS OF STANDING COMMITTEES

June 15, 1977

HOUSE BILL NO. 1406, Prime Sponsor: Representative Eng, relating to bonds. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Becker, Boldt, Charette, Ehlers, Hawkins, Heck, Hughes, Pardini, Thompson, Vrooman, Zimmerman.

To Committee on Rules for second reading.

June 15, 1977

SUBSTITUTE SENATE BILL NO. 2235, Prime Sponsor: Senator Day, authorizing a social and health services facilities bond issue. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 13 strike "ten million seven hundred fifty thousand" and insert "twenty million".

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Becker, Boldt, Charette, Deccio, Ehlers, Hawkins, Hughes, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

June 15, 1977

ENGROSSED SENATE BILL NO. 2242, Prime Sponsor: Senator Peterson, authorizing a capital projects bond issue for fisheries. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Boldt, Charette, Hughes, Lee, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

June 15, 1977

ENGROSSED SENATE BILL NO. 2272, Prime Sponsor: Senator Donohue, authorizing bonds for WSU construction. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Boldt, Charette, Deccio, Ehlers, Hughes, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

June 15, 1977

**SUBSTITUTE SENATE BILL NO. 2274**, Prime Sponsor: Senator Donohue, authorizing general obligation bonds for institutions of higher education facilities. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass with the following amendment:  
On page 1, line 14 strike "eighteen million" and insert "nine million five hundred thousand"

Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Boldt, Charette, Ehlers, Hawkins, Heck, Hughes, Lee, Maxie, Taller, Thompson, Valle, Vrooman, Williams.

To Committee on Rules for second reading.

June 15, 1977

**ENGROSSED SENATE BILL NO. 2277**, Prime Sponsor: Senator Donohue, authorizing the issuance and sale of state general obligation bonds, including bond anticipation notes, to fund community college capital projects. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Boldt, Charette, Deccio, Ehlers, Heck, Hughes, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

June 15, 1977

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2703**, Prime Sponsor: Senator Donohue, increasing legislative per diem. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Bauer, Becker, Charette, Ehlers, Hawkins, Hughes, Maxie, Thompson, Valle, Vrooman, Warnke, Williams.

**MINORITY recommendation:** Do not pass. Signed by Representatives Blair, Ranking Minority Member; Pardini.

To Committee on Rules for second reading.

June 15, 1977

**SECOND SUBSTITUTE SENATE BILL NO. 3097**, Prime Sponsor: Senator Benitz, authorizing bonds for building and equipping of state fire service training center for commission for vocational education. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; McKibbin, Vice Chairman; Blair, Ranking Minority Member; Amen, Bauer, Becker, Boldt, Charette, Deccio, Ehlers, Hawkins, Heck, Hughes, Lee, Maxie, Pardini, Polk, Taller, Thompson, Valle, Vrooman, Williams, Zimmerman.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Bender, the rules were suspended, and all bills listed under the fifth order of business, were placed on the second reading calendar.

#### SECOND READING

The Speaker (Ms. Sherman presiding) stated the question before the House to be the motion by Representative Knedlik that the House reconsider the vote by which the House failed to adopt the Committee on Revenue report on House Bill No. 623.

Representatives Knedlik, Sommers and Nelson (Dick) spoke in favor of the motion, and Representatives Newhouse, Winsley and Zimmerman spoke against it.

Mr. Newhouse spoke again in opposition to the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Committee on Revenue report was not adopted to House Bill No. 623, and the motion was carried by the following vote: Yeas, 43; nays, 41; not voting, 14.

Voting yea: Representatives Bender, Blair, Boldt, Burns, Charnley, Conner, Douthwaite, Enbody, Eng, Erickson, Fischer, Gaines, Grier, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Lux, Lysen, Moreau, Nelson D., Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Chandler, Charette, Clayton, Clemente, Craswell, Deccio, Erak, Fancher, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Hansen, Heck, Leckenby, Lee, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Bauer, Becker, Bond, Dunlap, Ehlers, Haley, Hurley M., Knowles, Maxie, North, O'Brien, Pardini, Paris.

#### MOTION

Mr. Bender moved that further consideration of House Bill No. 623 be deferred, and that the bill be placed on tomorrow's second reading calendar.

Mr. Newhouse spoke against the motion.

The motion was carried.

REENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 116, by Committee on Energy and Utilities (Originally sponsored by Senators Bottiger, Lewis, Bausch and Gaspard):

Permitting the lending of state and local government credit for energy conservation services and materials.

The resolution was read the second time.

Mr. Leckenby moved adoption of the following amendment:

On line 17 after "benefited" insert ": PROVIDED, That unfair, deceptive or anticompetitive acts or practices affecting commerce relating to the implementation of any authority granted herein are prohibited"

Representatives Leckenby, Polk and Shinpoch spoke in favor of the amendment, and Representatives Lysen and Martinis spoke against it.

Mr. Bender 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 Adams, Bauer, Becker, Bond, Dunlap, Haley, Hurley (Margaret), Knowles, North, O'Brien, Pardini and Paris.

On motion of Mr. Bender, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Ms. Sherman presiding) stated the question before the House to be the amendment by Representative Leckenby to Reengrossed Substitute Senate Joint Resolution No. 116.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Leckenby to Reengrossed Substitute Senate Joint Resolution No. 116, and the amendment was not adopted by the following vote: Yeas, 37; nays, 49; not voting, 12.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Blair, Chandler, Clayton, Craswell, Deccio, Fancher, Fischer, Flanagan, Fuller, Greengo, Hanna, Hansen, Hawkins, Knedlik, Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitten, Shinoda, Shinpoch, Smith, Struthers, Taller, Tilly, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Owen, Pearsall, Pruitt, Salatino, Sherman, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Bauer, Becker, Bond, Dunlap, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

On motion of Mr. Berentson, Representative Bond was excused from the Call of the House.

The Speaker (Ms. Sherman presiding) declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE GOVERNOR

June 17, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 17, 1977, Governor Ray approved the following House Bills entitled:

SECOND SUBSTITUTE HOUSE BILL NO. 449: Establishing a state women's commission.

SUBSTITUTE HOUSE BILL NO. 564: Enacting the Washington Sunset Act of 1977.

Sincerely,

Joe Zaspel, Legislative Assistant.

MESSAGES FROM THE SENATE

June 17, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 120,  
SECOND SUBSTITUTE HOUSE BILL NO. 391,  
SUBSTITUTE HOUSE BILL NO. 1132,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2042, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2516, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1120,  
SUBSTITUTE HOUSE BILL NO. 1310.

SENATE AMENDMENTS TO HOUSE BILL

June 16, 1977

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 251 with the following amendments:

On page 5, line 23 after "That" strike "it is the intent of the legislature that"

On page 5, line 26 after "conserved" strike "to the maximum extent possible and replaced"

On page 5, following line 27 add a new section as follows:

"NEW SECTION. Sec. 7. The provisions of this 1977 amendatory act shall terminate on June 30, 1979, unless otherwise provided by law."

Renumber the remaining section accordingly.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

Representatives Becker and Dunlap appeared at the bar of the House.

MOTION

On motion of Mr. Shinpoch, the House concurred in the Senate amendments to Second Substitute House Bill No. 251.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Second Substitute House Bill No. 251 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 251, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bauer, Bond, Gaines, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

Second Substitute Senate Bill No. 251 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.

Mr. Gaines appeared at the bar of the House.

## SENATE AMENDMENTS TO HOUSE BILL

June 16, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 236 with the following amendments:

On page 1, line 5 after "includes" strike ", but is not limited to,"

On page 1, line 7 after "43.88.020(4)" and before "but" insert "and those generally known as executive management"

On page 1, lines 13 through 15 after "biennium," strike all the matter down through "RCW" on line 15 and insert "or expend funds contrary to the terms, limits or conditions of any appropriation made by law"

On page 2, line 22 after "Sec. 6." delete the remainder of lines 22 and 23 and insert "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 July 1, 1977"

On line 2 of the title after "penalties;" and before "and" insert "declaring an emergency;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Engrossed House Bill No. 236.

## 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. 236 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 236 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bauer, Bond, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.



Engrossed House Bill No. 236 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.

## MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2910, except for the proviso on page 15, line 40, through line 2 on page 16, and asks the House to recede therefrom.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Lysen, the House insisted on its position and asked the Senate to concur therewith.

## MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1348, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 15, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1348, providing for increased coverage for uninsured motorists at the purchaser's option, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Bottiger, Clarke, Francis; Representatives Douthwaite, Knedlik, Taller.

## MOTION

Mr. Douthwaite moved that the report of the Conference Committee be adopted and the committee be granted the powers of Free Conference.

## POINT OF INQUIRY

Mr. Knedlik yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The language in the Conference Committee report strikes the sentence dealing with—the purchaser... shall be informed by the insurer of the availability of the option specified in this section.' Will you clarify for us what you think the intent of that striking language was?"

Mr. Knedlik: "The reason that paragraph has been deleted is because the language is unnecessarily repetitive. The phrase 'at the purchasers' option' in the preceding paragraph makes clear that the Legislature is statutorily approving stacking by legislatively mandating that stacked and unstacked coverage must now be offered to purchasers of uninsured and underinsured motorists' coverage and the purchaser will exercise his or her option to select which to buy or to buy neither. This paragraph which has been deleted was merely excess baggage and has been struck as repetitive."

The motion was carried.

## MESSAGE FROM THE SENATE

June 15, 1977

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 318, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Rasmussen, Newschwander, Gaspard.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Thompson, the House granted the request of the Senate for a conference on Substitute House Bill No. 318.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Hansen, Bender and Lee as conferees on Substitute House Bill No. 318.

## MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 2435, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 15, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 2435, providing for disposition of operating fees charged at institutions of higher education, have had the same under consideration, and we recommend that the House amendments be adopted and the following additional amendments be adopted:

On page 1, after line 4 insert the following two new sections as follows:

**\*NEW SECTION.** Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

Each board of community college trustees shall appoint a treasurer who shall be the financial officer of the board and who shall hold office during the pleasure of the board. Each treasurer shall render a true and faithful account of all moneys received and paid out by him or her, comply with the provisions of section 2 of this 1977 amendatory act, and shall give bond for the faithful performance of the duties of his or her office in such amount as the trustees require: PROVIDED, That the respective community colleges shall pay the fees for any such bonds.

**NEW SECTION.** Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

In order that each community college treasurer appointed in accordance with section 1 of this act may make vendor payments, the state treasurer will honor warrants drawn by each community college providing for one initial advance on September 1, 1977, of the current biennium and on July 1 of each succeeding biennium from the state general fund in an amount equal to ten percent of each institution's average monthly allotment for such budgeted biennium expenditures as certified by the office of program planning and fiscal management, and at the conclusion of each such initial month, and for each succeeding month of any biennium, the state treasurer will reimburse each institution for each expenditure incurred and reported monthly by each community college treasurer in accordance with chapter 43.83 RCW: PROVIDED, That the reimbursement to each institution for actual expenditures incurred in the final month of each biennium shall be less the initial advance."

Renumber the remaining sections consecutively.

On page 1, line 2 of the title, after "education;" insert "adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW;"

Signed by Senators Odegaard, Donohue, Scott; Representatives Thompson, Erickson, Chandler.

## MOTION

On motion of Ms. Erickson, the report of the Free Conference Committee was adopted.

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 Substitute Senate Bill No. 2435 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2435 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 86; nays, 2; not voting, 10.

Voting yea: Representatives Amen, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak,

Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Enbody.

Not voting: Representatives Adams, Bauer, Bond, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

Substitute Senate Bill No. 2435 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.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 865, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 17, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 865, revising the public employees' retirement system, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Marsh, Jones, Grant; Representatives Sommers, McKibbin, Newhouse.

#### MOTION

On motion of Mr. McKibbin, the conference committee report was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 866, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 866, revising the teachers' retirement system, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Marsh, Jones; Representatives Sommers, McKibbin, Newhouse.

#### MOTION

On motion of Mr. McKibbin, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 867, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 867, revising the law enforcement officers' and fire fighters' retirement system, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Marsh, Jones; Representatives Sommers, McKibbin, Newhouse.

## MOTION

On motion of Mr. McKibbin, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 865, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 865, revising the public employees' retirement system, have had the same under consideration, and we recommend that the Senate amendment be not adopted, that the substitute House bill be struck, and the bill read as follows:

\*AN ACT Relating to the public employees' retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010; amending section 4, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.165; amending section 35, chapter 274, Laws of 1947 and RCW 41.40.340; amending section 36, chapter 274, Laws of 1947 and RCW 41.40.350; amending section 38, chapter 274, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1963 and RCW 41.40.370; adding new sections to chapter 41.40 RCW; prescribing an effective date; and declaring an emergency.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**NEW SECTION.** Section 1. LEGISLATIVE FINDING. The legislature finds and determines that those members first employed on or before September 30, 1977, shall not suffer any diminishment or loss of benefits or rights, whether current or prospective, as the result of the enactment of this 1977 amendatory act.

**NEW SECTION.** Sec. 2. APPLICATION TO CERTAIN PERSONS. Sections 3 through 15 of this 1977 amendatory act shall apply only to those persons who are initially employed by an employer on or after October 1, 1977.

**NEW SECTION.** Sec. 3. COMPUTATION OF THE RETIREMENT ALLOWANCE. A member of the retirement system shall receive a retirement allowance equal to two percent of such member's average final compensation for each year of service.

**NEW SECTION.** Sec. 4. RETIREMENT FOR SERVICE. (1) NORMAL RETIREMENT. Any member with at least five years of service who has attained at least age sixty-five shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act.

(2) EARLY RETIREMENT. Any member who has completed at least twenty years of service and has attained age fifty-five shall be eligible to retire and to receive a retirement allowance computed according to

the provisions of section 3 of this 1977 amendatory act, except that a member retiring pursuant to this subsection shall have the retirement allowance actuarially reduced to reflect the difference in the number of years between age at retirement and the attainment of age sixty-five.

**NEW SECTION.** Sec. 5. **POST-RETIREMENT COST-OF-LIVING.** Beginning July 1, 1979, and every year thereafter, the department shall determine the following information for each retired member or beneficiary whose retirement allowance has been in effect for at least one year:

- (1) The original dollar amount of the retirement allowance;
- (2) The index for the calendar year prior to the effective date of the retirement allowance, to be known as 'index A';
- (3) The index for the calendar year prior to the date of determination, to be known as 'index B'; and
- (4) The ratio obtained when index B is divided by index A.

The value of the ratio obtained shall be the annual adjustment to the original retirement allowance and shall be applied beginning with the July payment. In no event, however, shall the annual adjustment:

- (a) Produce a retirement allowance which is lower than the original retirement allowance;
- (b) Exceed three percent in the initial annual adjustment; or
- (c) Differ from the previous year's annual adjustment by more than three percent.

For the purposes of this section, 'index' means, for any calendar year, that year's average consumer price index—Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**NEW SECTION.** Sec. 6. **EMPLOYER AND MEMBER CONTRIBUTIONS.** The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify the retirement board of any pending adjustment in the required contribution rate and such increase shall be announced at a board meeting held at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members compensation earnable each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.51% of compensation earnable: PROVIDED, That employers shall initially contribute an additional one and one-half percent of compensation earnable per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

**NEW SECTION.** Sec. 7. **OPTIONS FOR PAYMENT OF RETIREMENT ALLOWANCES.** Upon retirement for service as prescribed in section 4 of this 1977 amendatory act, a member shall elect to have the retirement allowance paid pursuant to Option 1, 2, or 3 with Options 2 and 3 calculated so as to be actuarially equivalent to Option 1.

(1) **OPTION 1.** A member electing this option shall receive a retirement allowance payable throughout such member's life. However, if the retiree dies before the total of the retirement allowance paid to such retiree equals the amount of such retiree's accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department; or if there be no such designated person or persons still living at the time of the retiree's death, then to the surviving spouse; or if there be neither such designated person or persons still living at the time of death nor a surviving spouse, then to the retiree's legal representative.

(2) **OPTION 2.** A member who elects this option shall receive a reduced retirement allowance, which upon the member's death shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

(3) **OPTION 3.** A member who elects this option shall receive a reduced retirement allowance, and upon the member's death one-half of the retiree's reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

**NEW SECTION.** Sec. 8. **EARNED DISABILITY ALLOWANCE.** A member of the retirement system who becomes totally incapacitated for continued employment by an employer as determined by the department upon recommendation of the retirement board shall be eligible to receive an allowance under the provisions of sections 2 through 15 of this 1977 amendatory act. Such member shall receive a monthly disability allowance computed as provided for in section 3 of this 1977 amendatory act and shall have such allowance actuarially reduced to reflect the difference in the number of years between age at disability and the attainment of age sixty-five.

Any member who receives an allowance under the provisions of this section shall be subject to such comprehensive medical examinations as required by the department. If such medical examinations reveal that such a member has recovered from the incapacitating disability and the member is offered reemployment by an employer at a comparable compensation, such member shall cease to be eligible for such allowance.

**NEW SECTION. Sec. 9. APPLICATION FOR AND EFFECTIVE DATE OF RETIREMENT ALLOWANCES.** Any member or beneficiary eligible to receive a retirement allowance under the provisions of sections 4, 8, or 11 of this 1977 amendatory act shall be eligible to commence receiving a retirement allowance after having filed written application with the department.

(1) Retirement allowances paid to members under the provisions of section 4 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment.

(2) Retirement allowances paid to vested members no longer in service, but qualifying for such an allowance pursuant to section 4 of this 1977 amendatory act, shall accrue from the first day of the calendar month immediately following such qualification.

(3) Disability allowances paid to disabled members under the provisions of section 8 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment for disability.

(4) Retirement allowances paid as death benefits under the provisions of section 11 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following the member's death.

**NEW SECTION. Sec. 10. SUSPENSION OF RETIREMENT ALLOWANCE UPON REEMPLOYMENT BY AN EMPLOYER.** No retiree under the provisions of sections 2 through 15 of this 1977 amendatory act shall be eligible to receive such retiree's monthly retirement allowance if such retiree is performing service for any nonfederal public employer in this state.

Upon cessation of service for any nonfederal public employer in this state such retiree shall have benefits actuarially recomputed pursuant to the rules adopted by the department.

**NEW SECTION. Sec. 11. DEATH BENEFITS.** (1) If a member or a vested member who has not completed at least ten years of service dies, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death shall be paid to such person or persons having an insurable interest in such member's life as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) If a member who is eligible for retirement or a member who has completed at least ten years of service dies, the surviving spouse or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in section 4(1) of this 1977 amendatory act actuarially adjusted to reflect Option 2 of section 7 of this 1977 amendatory act and if the member was not eligible for normal retirement at the date of death a further reduction as described in section 4(2) of this 1977 amendatory act; if a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority; if there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance share and share alike calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; or

(b) The member's accumulated contributions.

**NEW SECTION. Sec. 12. SERVICE CREDIT FOR AUTHORIZED LEAVE OF ABSENCE.** A member who is on a paid leave of absence authorized by a member's employer shall continue to receive service credit as provided for under the provisions of sections 2 through 15 of this 1977 amendatory act.

A member shall be eligible to receive a maximum of two years service credit during a member's entire working career for those periods when a member is on an unpaid leave of absence authorized by an employer. Such credit may be obtained only if the member makes both the employer and member contributions plus interest as determined by the department for the period of the authorized leave of absence within five years of resumption of service or prior to retirement whichever comes sooner: PROVIDED, That for the purpose of this subsection the contribution shall not include the contribution for the unfunded supplemental present value as required by section 6 of this 1977 amendatory act. The contributions required shall be based on the average of the member's compensation earnable at both the time the authorized leave of absence was granted and the time the member resumed employment.

A member who is inducted into the armed forces of the United States shall be deemed to be on an unpaid, authorized leave of absence.

**NEW SECTION. Sec. 13. VESTED MEMBERSHIP.** A member who separates or has separated after having completed at least five years of service may remain a member during the period of such member's absence from service for the exclusive purpose only of receiving a retirement allowance under the provisions of section 4 of this 1977 amendatory act if such member maintains the member's accumulated contributions intact.

**NEW SECTION. Sec. 14. REFUND OF CONTRIBUTIONS.** A member who ceases to be an employee of an employer may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under sections 2 through 15 of this 1977 amendatory act.

**NEW SECTION. Sec. 15. REENTRY.** A member, who had left service and withdrawn the member's accumulated contributions, shall receive service credit for such prior service if the member restores all withdrawn accumulated contributions together with interest since the time of withdrawal as determined by the department.

The restoration of such funds must be completed within five years of the resumption of service or prior to retirement, whichever occurs first.

Sec. 16. Section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010 are each amended to read as follows:

**TERMS DEFINED.** As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the public employees' retirement system provided for in this chapter.  
 (2) 'Retirement board' means the board provided for in this chapter and chapter 41.26 RCW ((to administer said retirement system)).

(3) 'State treasurer' means the treasurer of the state of Washington.

(4) (a) 'Employer' for persons who establish membership in the retirement system on or before September 30, 1977, means every branch, department, agency, commission, board, and office of the state, any political subdivision or association of political subdivisions of the state admitted into the retirement system, and legal entities authorized by RCW 36.70.060 and 35.63.070 or chapter 39.34 RCW as now or hereafter amended; and the term shall also include any labor guild, association, or organization the membership of a local lodge or division of which is comprised of at least forty percent employees of an employer (other than such labor guild, association, or organization) within this chapter. The term may also include any city of the first class that has its own retirement system.

(b) 'Employer' for persons who establish membership in the retirement system on or after October 1, 1977, means every branch, department, agency, commission, board, and office of the state, and any political subdivision and municipal corporation of the state admitted into the retirement system, including public agencies created pursuant to RCW 36.70.060, 35.63.070, and 39.34.030.

(5) 'Member' means any employee included in the membership of the retirement system, as provided for in RCW 41.40.120.

(6) 'Original member' of this retirement system means:

(a) Any person who became a member of the system prior to April 1, 1949;

(b) Any person who becomes a member through the admission of an employer into the retirement system on and after April 1, 1949, and prior to April 1, 1951;

(c) Any person who first becomes a member by securing employment with an employer prior to April 1, 1951, provided he has rendered at least one or more years of service to any employer prior to October 1, 1947;

(d) Any person who first becomes a member through the admission of an employer into the retirement system on or after April 1, 1951, provided, such person has been in the regular employ of the employer for at least six months of the twelve-month period preceding the said admission date;

(e) Any member who has restored all his contributions that may have been withdrawn by him as provided by RCW 41.40.150 and who on the effective date of his retirement becomes entitled to be credited with ten years or more of membership service except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190(4) shall not apply to the member;

(f) Any member who has been a contributor under the system for two or more years and who has restored all his contributions that may have been withdrawn by him as provided by RCW 41.40.150 and who on the effective date of his retirement has rendered five or more years of service for the state or any political subdivision prior to the time of the admission of the employer into the system; except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190(4) shall not apply to the member.

(7) 'New member' means a person who becomes a member on or after April 1, 1949, except as otherwise provided in this section.

(8) (a) 'Compensation earnable' for persons who establish membership in the retirement system on or before September 30, 1977, means salaries or wages earned during a payroll period for personal services and where the compensation is not all paid in money maintenance compensation shall be included upon the basis of the schedules established by the member's employer: PROVIDED, That if a leave of absence is taken by an individual for the purpose of serving in the state legislature, the salary which would have been received for the position from which the leave of absence was taken, shall be considered as compensation earnable if the employee's contribution is paid by the employee and the employer's contribution is paid by the employer or employee.

(b) 'Compensation earnable' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude nonmoney maintenance compensation and lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay; PROVIDED, That in any year in which a member serves in the legislature such member's compensation earnable shall be the greater of:

(i) the compensation earnable the member would have received had such member not served in the legislature; or

(ii) such member's actual compensation earnable received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(9) (a) 'Service' for persons who establish membership in the retirement system on or before September 30, 1977, means periods of employment rendered to any employer for which compensation is paid, and includes time spent in office as an elected or appointed official of an employer. Full time work for ten days or more or an equivalent period of work in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits. Service by a state employee officially assigned by the state on a temporary basis to assist another public agency, shall be considered as service as a state employee; PROVIDED, That service to any other public agency shall not be considered service as a state employee if such service has been used to establish benefits in any other public retirement system; PROVIDED FURTHER, That where an individual is employed by two employers he shall only receive a total of twelve months of service credit during any calendar year.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which compensation earnable is earned for ninety or more hours per calendar month.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

Members employed by school districts, the state school for the blind, the state school for the deaf, institutions of higher education, or community colleges shall receive twelve months of service for each contract year or school year of employment.

Service in any state elective position shall be deemed to be full time service, except that persons serving in state elective positions who are members of the teachers' retirement system or law enforcement officers' and fire fighters' retirement system at the time of election or appointment to such position may elect to continue membership in the teachers' retirement system or law enforcement officers' and fire fighters' retirement system.

If a member receives compensation earnable from two or more employers during any calendar year such member shall receive a total of not more than twelve months of service for such calendar year.

(10) 'Prior service' means all service of an original member rendered to any employer prior to October 1, 1947.

(11) 'Membership service' means:

(a) All service rendered, as a member, after October 1, 1947;

(b) All service after October 1, 1947, to any employer prior to the time of its admission into the retirement system; PROVIDED, That an amount equal to the employer and employee contributions which would have been paid to the retirement system on account of such service shall have been paid to the retirement system with interest (as computed by the retirement board) on the employee's portion prior to retirement of such person, by the employee or his employer, except as qualified by RCW 41.40.120;

(c) Service not to exceed six consecutive months of probationary service rendered after April 1, 1949, and prior to becoming a member, in the case of any member, upon payment in full by such member, prior to July 1, 1974 of the total amount of the employer's contribution to the retirement fund which would have been required under the law in effect when such probationary service was rendered if the member had been a member during such period.

(d) Service not to exceed six consecutive months of probationary service, rendered after October 1, 1947, and before April 1, 1949, and prior to becoming a member, in the case of any member, upon payment in full by such member prior to July 1, 1974, of five percent of such member's salary during said period of probationary service.

(12) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance, pension or other benefit provided by this chapter.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(13) 'Regular interest' means such rate as the ((retirement-board)) department may determine.



(14) 'Accumulated contributions' means the sum of all contributions standing to the credit of a member in his individual account together with the regular interest thereon.

(15) (a) 'Average final compensation' for persons who establish membership in the retirement system on or before September 30, 1977, means the annual average of the greatest compensation earnable by a member during any consecutive two year period of service for which service credit is allowed; or if he has less than two years of service then the annual average compensation earnable during his total years of service for which service credit is allowed.

(b) 'Average final compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average compensation earnable of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(16) 'Final compensation' means the annual rate of compensation earnable by a member at the time of termination of his employment.

(17) 'Annuity' means payments for life derived from accumulated contributions of a member. All annuities shall be paid in monthly installments.

(18) 'Pension' means payments for life derived from contributions made by the employer. All pensions shall be paid in monthly installments.

(19) 'Retirement allowance' means the sum of the annuity and the pension.

(20) 'Employee' means any person who may become eligible for membership under this chapter, as set forth in RCW 41.40.120.

(21) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality and other tables as may be adopted by the retirement board.

(22) 'Retirement' means withdrawal from active service with a retirement allowance as provided by this chapter.

(23) 'Eligible position' means:

(a) Any position which normally requires five or more uninterrupted months of service a year for which regular compensation is paid to the occupant thereof;

(b) Any position occupied by an elected official or person appointed directly by the governor for which compensation is paid.

(24) 'Ineligible position' means any position which does not conform with the requirements set forth in subdivision (23).

(25) 'Leave of absence' means the period of time a member is authorized by the employer to be absent from service without being separated from membership.

(26) 'Totally incapacitated for duty' means total inability to perform the duties of a member's employment or office or any other work for which the member is qualified by training or experience.

(27) 'Retiree for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(28) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(29) 'Director' means the director of the department.

(30) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(31) 'State actuary' means the person appointed pursuant to RCW 44.44.010(2).

Sec. 17. Section 4, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.165 are each amended to read as follows:

No person appointed to membership on any committee, board, or commission on or after July 1, 1976, who is compensated for service on such committee, board, or commission for less than ten days or seventy hours in any month, whichever amount is less, shall receive service credit for such service for that month; PROVIDED, That on and after October 1, 1977, appointive and elective officials who receive monthly compensation earnable from an employer in an amount equal to or less than ninety times the state minimum hourly wage shall not receive any service credit for such employment.

Sec. 18. Section 35, chapter 274, Laws of 1947 and RCW 41.40.340 are each amended to read as follows:

The deductions from the compensation of members, provided for in RCW 41.40.330 or section 6 of this 1977 amendatory act, shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for in this chapter and shall receipt in full for his salary or compensation, and payment less said deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to benefits provided for under this chapter.

Sec. 19. Section 36, chapter 274, Laws of 1947 and RCW 41.40.350 are each amended to read as follows:

The ((officer)) person responsible for making up the payroll shall transmit promptly to the ((retirement board)) department at the end of each and every payroll period a copy of the original payroll voucher or such other payroll report as the ((retirement board)) department may require showing thereon all deductions for the retirement system made from the ((salary)) compensation earnable of each member, together with warrants or checks covering the total of such deductions. The ((retirement board)) department after making

a record of all such receipts shall pay them to the state treasurer for use according to the provisions of this chapter.

Sec. 20. Section 38, chapter 274, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1963 and RCW 41.40.370 are each amended to read as follows:

(1) The ((retirement board)) department shall ascertain and report to each employer the amount it shall provide for pension benefits for the ensuing biennium or fiscal year whichever is applicable to the said employer's operations. The amount to be so provided shall be computed by applying the rates of contribution as established by RCW 41.40.361 or section 6 of this 1977 amendatory act to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or October 1, 1977, as the case may be, the amount to be collected as the employer's contribution for pension benefits shall be computed by applying the applicable rates established by RCW 41.40.361 or section 6 of this 1977 amendatory act to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. The ((retirement board)) department shall bill each said employer at the end of each month for the amount due for that month and the same shall be paid as are its other obligations: PROVIDED, That the ((retirement board)) department may, at its discretion, establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter and shall be based upon the employer's payrolls for that quarter.

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the ((retirement board)) department shall bill such employer through the ((budget)) director of the office of program planning and fiscal management for such employer's contribution. Such billing shall be paid by the employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls. If any such employer shall fail or refuse to honor such a billing, the ((budget)) director of the office of program planning and fiscal management shall cause the same to be paid from any funds appropriated to the ((budget)) director of the office of program planning and fiscal management for such purposes.

NEW SECTION. Sec. 21. There is added to chapter 41.40 RCW a new section to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before September 30, 1977: RCW 41.40.150, 41.40.160, 41.40.170, 41.40.180, 41.40.185, 41.40.190, 41.40.193, 41.40.195, 41.40.200, 41.40.210, 41.40.220, 41.40.230, 41.40.235, 41.40.250, 41.40.260, 41.40.280, 41.40.300, 41.40.310, 41.40.320, and 41.40.330.

NEW SECTION. Sec. 22. Section headings used in this 1977 amendatory act shall not constitute any part of the law.

NEW SECTION. Sec. 23. Sections 1 through 15 of this 1977 amendatory act shall be added to chapter 41.40 RCW and shall be codified as consecutive sections of the Revised Code of Washington within such chapter.

NEW SECTION. Sec. 24. If any provision of this 1977 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.

NEW SECTION. Sec. 25. This 1977 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 October 1, 1977."

Signed by Senators Marsh, Jones; Representatives Sommers, McKibbin, Newhouse.

#### MOTION

On motion of Mr. McKibbin, the Free Conference Committee report was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 865 as amended by the Free Conference Committee.

Representatives McKibbin and Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 865 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 78; nays, 10; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Kilbury, King, Knedlik, Leckenby, Lee, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Enbody, Fischer, Hurley G. S., Keller, Kreidler, Lux, Martinis, Pearsall, Salatino, Williams.

Not voting: Representatives Adams, Bauer, Bond, Halcy, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

Substitute House Bill No. 865 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.

#### REPORT OF CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2480, revising the law on unemployment compensation, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to recommend that the House committee amendments as amended be adopted, and additional amendments be adopted.

Signed by Senators Ridder, Morrison, Mardesich; Representatives Lux, Charette.

#### MOTION

On motion of Mr. Charette, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 866, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 866, revising the teachers' retirement system, have had the same under consideration, and we recommend that the Senate amendment not be adopted, that the substitute House bill be struck, and the bill read as follows:

\*AN ACT Relating to the teachers' retirement system; amending section 1, chapter 80, Laws of 1947 as last amended by section 149, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.010; adding new sections to chapter 41.32 RCW; prescribing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. LEGISLATIVE FINDING. The legislature finds and determines that those members first employed on or before September 30, 1977, shall not suffer any diminishment or loss of benefits or rights, whether current or prospective, as the result of the enactment of this 1977 amendatory act.

NEW SECTION. Sec. 2. APPLICATION TO CERTAIN PERSONS. Sections 3 through 16 of this 1977 amendatory act shall apply only to those persons who are initially employed by an employer on or after October 1, 1977.

NEW SECTION. Sec. 3. COMPUTATION OF THE RETIREMENT ALLOWANCE. A member of the retirement system shall receive a retirement allowance equal to two percent of such member's average final compensation for each year of service.

NEW SECTION. Sec. 4. RETIREMENT FOR SERVICE. (1) NORMAL RETIREMENT. Any member with at least five years of service who has attained at least age sixty-five shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act.

(2) EARLY RETIREMENT. Any member who has completed at least twenty years of service who has attained at least age fifty-five shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act, except that a member retiring pursuant to this subsection shall have the retirement allowance actuarially reduced to reflect the difference in the number of years between age at retirement and the attainment of age sixty-five.

NEW SECTION. Sec. 5. POST-RETIREMENT COST-OF-LIVING. Beginning July 1, 1979, and every year thereafter, the department shall determine the following information for each retired member or beneficiary whose retirement allowance has been in effect for at least one year:

(1) The original dollar amount of the retirement allowance;

(2) The index for the calendar year prior to the effective date of the retirement allowance, to be known as 'index A';

(3) The index for the calendar year prior to the date of determination, to be known as 'index B'; and

(4) The ratio obtained when index B is divided by index A.

The value of the ratio obtained shall be the annual adjustment to the original retirement allowance and shall be applied beginning with the July payment. In no event, however, shall the annual adjustment:

(a) Produce a retirement allowance which is lower than the original retirement allowance;

(b) Exceed three percent in the initial annual adjustment; or

(c) Differ from the previous year's annual adjustment by more than three percent.

For the purposes of this section, 'index' means, for any calendar year, that year's average consumer price index—Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**NEW SECTION. Sec. 6. EMPLOYER AND MEMBER CONTRIBUTIONS.** The required contribution rates to the retirement system for both members and employers shall be established by the director from time to time as may be necessary upon the advice of the state actuary: PROVIDED, That the employer contribution shall be contributed as provided in RCW 41.32.401.

Contribution rates required to fund the costs of the retirement system shall always be equal for members and employers, except as herein provided. Any adjustments in contribution rates required from time to time for future costs shall likewise be shared equally by the members and employers: PROVIDED, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the employers.

Any increase in the contribution rate required as the result of a failure of an employer to make any contribution required by this section shall be borne in full by the employer not making the contribution.

The director shall notify the retirement board of any pending adjustment in the required contribution rate and such increase shall be announced at a board meeting held at least thirty days prior to the effective date of the change.

Members contributions required by this section shall be deducted from the members earnable compensation each payroll period. The members contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends and the employers contribution shall be remitted as provided by law.

Until such time as the director shall establish other rates, members and employers of such members shall each contribute 5.66% of earnable compensation: PROVIDED, That employers shall initially contribute an additional 5.80% of earnable compensation per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

**NEW SECTION. Sec. 7. TEACHERS REQUIRED TO BE MEMBERS.** All teachers who become employed by an employer on or after October 1, 1977, shall be members of the retirement system and shall be governed by the provisions of sections 2 through 16 of this 1977 amendatory act.

**NEW SECTION. Sec. 8. OPTIONS FOR PAYMENT OF RETIREMENT ALLOWANCES.** Upon retirement for service as prescribed in section 4 of this 1977 amendatory act, a member shall elect to have the retirement allowance paid pursuant to Option 1, 2, or 3 with Options 2 and 3 calculated so as to be actuarially equivalent to Option 1.

(1) **OPTION 1.** A member electing this option shall receive a retirement allowance payable throughout such member's life. However, if the retiree dies before the total of the retirement allowance paid to such retiree equals the amount of such retiree's accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department; or if there be no such designated person or persons still living at the time of the retiree's death, then to the surviving spouse; or if there be neither such designated person or persons still living at the time of death nor a surviving spouse, then to the retiree's legal representative.

(2) **OPTION 2.** A member who elects this option shall receive a reduced retirement allowance, which upon the member's death shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

(3) **OPTION 3.** A member who elects this option shall receive a reduced retirement allowance, and upon the member's death one-half of the retiree's reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

**NEW SECTION. Sec. 9. EARNED DISABILITY ALLOWANCE.** A member of the retirement system who becomes totally incapacitated for continued employment by an employer as determined by the department upon recommendation of the retirement board shall be eligible to receive an allowance under the provisions of sections 2 through 16 of this 1977 amendatory act. Such member shall receive a monthly disability allowance computed as provided for in section 3 of this 1977 amendatory act and shall have such allowance actuarially reduced to reflect the difference in the number of years between age at disability and the attainment of age sixty-five.

Any member who receives an allowance under the provisions of this section shall be subject to such comprehensive medical examinations as required by the department. If such medical examinations reveal

that such a member has recovered from the incapacitating disability and the member is offered reemployment by an employer at a comparable compensation, such member shall cease to be eligible for such allowance.

**NEW SECTION. Sec. 10. APPLICATION FOR AND EFFECTIVE DATE OF RETIREMENT ALLOWANCES.** Any member or beneficiary eligible to receive a retirement allowance under the provisions of sections 4, 9, or 12 of this 1977 amendatory act shall be eligible to commence receiving a retirement allowance after having filed written application with the department.

(1) Retirement allowances paid to members under the provisions of section 4 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment.

(2) Retirement allowances paid to vested members no longer in service, but qualifying for such an allowance pursuant to section 4 of this 1977 amendatory act, shall accrue from the first day of the calendar month immediately following such qualification.

(3) Disability allowances paid to disabled members under the provisions of section 9 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment for disability.

(4) Disability allowances paid as death benefits under the provisions of section 12 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following the member's death.

**NEW SECTION. Sec. 11. SUSPENSION OF RETIREMENT ALLOWANCE UPON REEMPLOYMENT BY AN EMPLOYER.** No retiree under the provisions of sections 2 through 16 of this 1977 amendatory act shall be eligible to receive such retiree's monthly retirement allowance if such retiree is performing service for any nonfederal public employer in this state.

Upon cessation of service for any nonfederal public employer in this state such retiree shall have benefits actuarially recomputed pursuant to the rules adopted by the department.

**NEW SECTION. Sec. 12. DEATH BENEFITS.** (1) If a member or a vested member who has not completed at least ten years of service dies, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death shall be paid to such person or persons having an insurable interest in such member's life as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) If a member who is eligible for retirement or a member who has completed at least ten years of service dies, the surviving spouse or eligible children shall elect to receive either:

(a) A retirement allowance computed as provided for in section 4(1) of this 1977 amendatory act actuarially adjusted to reflect Option 2 of section 8 of this 1977 amendatory act and if the member was not eligible for normal retirement at the date of death a further reduction as described in section 4(2) of this 1977 amendatory act; if a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority; if there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance share and share alike calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; or

(b) The member's accumulated contributions.

**NEW SECTION. Sec. 13. SERVICE CREDIT FOR AUTHORIZED LEAVE OF ABSENCE.** A member who is on a paid leave of absence authorized by a member's employer shall continue to receive service credit as provided for under the provisions of sections 2 through 16 of this 1977 amendatory act.

A member shall be eligible to receive a maximum of two years service credit during a member's entire working career for those periods when a member is on an unpaid leave of absence authorized by an employer. Such credit may be obtained only if the member makes both the employer and member contributions plus interest as determined by the department for the period of the authorized leave of absence within five years of resumption of service or prior to retirement whichever comes sooner: **PROVIDED**, That for the purpose of this subsection the contribution shall not include the contribution for the unfunded supplemental present value as required by section 6 of this 1977 amendatory act. The contributions required shall be based on the average of the member's compensation earnable at both the time the authorized leave of absence was granted and the time the member resumed employment.

A member who is inducted into the armed forces of the United States shall be deemed to be on an unpaid, authorized leave of absence.

**NEW SECTION. Sec. 14. VESTED MEMBERSHIP.** A member who separates or has separated after having completed at least five years of service may remain a member during the period of such member's absence from service for the exclusive purpose only of receiving a retirement allowance under the provisions of section 4 of this 1977 amendatory act if such member maintains the member's accumulated contributions intact.

**NEW SECTION. Sec. 15. REFUND OF CONTRIBUTIONS ON TERMINATION.** A member who ceases to be an employee of an employer may request a refund of the members accumulated contributions.

The refund shall be made within ninety days following the receipt of the request and notification of termination by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all benefits under the provisions of sections 2 through 16 of this 1977 amendatory act.

**NEW SECTION, Sec. 16. REENTRY.** A member, who had left service and withdrawn the member's accumulated contributions, shall receive service credit for such prior service if the member restores all withdrawn accumulated contributions together with interest since the time of withdrawal as determined by the department. The restoration of such funds must be completed within five years of the resumption of service or prior to retirement, whichever occurs first.

**NEW SECTION, Sec. 17. DUTIES OF PAYROLL OFFICER.** The person responsible for making up the payroll shall transmit promptly to the department at the end of each and every payroll period a copy of the original payroll voucher or such other payroll report as the department may require showing thereon all deductions for contributions for the teachers' retirement system made from the earnable compensation of a member of the teachers' retirement system together with warrants or checks covering the total of such deductions. The department shall place such moneys into the proper funds established in this chapter.

Sec. 18. Section 1, chapter 80, Laws of 1947 as last amended by section 149, chapter 275, Laws of 1975 1st ex. sess. and RCW 41.32.010 are each amended to read as follows:

**DEFINITIONS.** As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) 'Accumulated contributions' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of all regular annuity contributions with regular interest thereon less cost of operation.

(b) 'Accumulated contributions' for persons who establish membership in the retirement system on or after October 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the board of trustees and regular interest.

(3) 'Annuity' means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) 'Annuity fund' means the fund in which all of the accumulated contributions of members are held.

(5) 'Annuity reserve fund' means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance or other benefit provided for by the teachers' retirement law.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) 'Contract' means any agreement for service and compensation between a member and an employer.

(8) 'Creditable service' means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(9) 'Dependent' means receiving one-half or more of support from a member.

(10) 'Disability allowance' means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(11) (a) 'Earnable compensation' for persons who establish membership in the retirement system on or before September 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the board of trustees shall fix the value of that part of the compensation not paid in money: **PROVIDED,** That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for his two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) 'Earnable compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: **PROVIDED,** That in any year in which a member serves in the legislature such member's earnable compensation shall be the greater of:

(i) the earnable compensation the member would have received had such member not served in the legislature; or

(ii) such member's actual earnable compensation received for teaching and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) 'Employer' means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) 'Fiscal year' means a year which begins July 1st and ends June 30th of the following year.

(14) 'Former state fund' means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) 'Local fund' means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) 'Member' means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to exempt himself from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) 'Membership service' means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system: PROVIDED, That where a member is employed by two or more employers during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(18) 'Pension' means the moneys payable per year during life from the pension fund.

(19) 'Pension fund' means a fund from which all pension obligations are to be paid.

(20) 'Pension reserve fund' is a fund in the state treasury in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system.

(21) 'Prior service' means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(22) 'Prior service contributions' means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(23) 'Public school' means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

(24) 'Regular contributions' means the amounts required to be deducted from the compensation of a member and credited to his individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(25) 'Regular interest' means ((the interest on funds of the retirement system for the current school year and such other earnings as may be applied thereon by the board of trustees)) such rate as the department may determine.

(26) (a) 'Retirement allowance' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) 'Retirement allowance' for persons who establish membership in the retirement system on or after October 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

(27) 'Retirement system' means the Washington state teachers' retirement system.

(28) (a) 'Service' means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for ninety or more hours per calendar month. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

If a member receives earnable compensation from two or more employers during any calendar year such member shall receive a total of not more than twelve months of service for such calendar year.

(29) 'Survivors' benefit fund' means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(30) 'Teacher' means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, educational service district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

(31) 'Average final compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average earnable compensation of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(32) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(33) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(34) 'Director' means the director of the department.

(35) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(36) 'State actuary' means the person appointed pursuant to RCW 44.44.010(2).

(37) 'Retirement board' means the board of trustees provided for in RCW 41.32.040.

**NEW SECTION.** Sec. 19. There is added to chapter 41.32 RCW a new section to read as follows:

The provisions of the following sections of this chapter shall apply only to those persons who establish membership in the retirement system on or before June 30, 1977: RCW 41.32.250, 41.32.260, 41.32.270, 41.32.280, 41.32.290, 41.32.300, 41.32.310, 41.32.320, 41.32.330, 41.32.340, 41.32.350, 41.32.360, 41.32.365, 41.32.366, 41.32.380, 41.32.390, 41.32.430, 41.32.440, 41.32.470, 41.32.480, 41.32.491, 41.32.492, 41.32.493, 41.32.4931, 41.32.4932, 41.32.494, 41.32.4943, 41.32.4944, 41.32.4945, 41.32.497, 41.32.498, 41.32.4982, 41.32.4983, 41.32.499, 41.32.500, 41.32.510, 41.32.520, 41.32.522, 41.32.523, 41.32.530, 41.32.540, 41.32.550, 41.32.560, 41.32.561, 41.32.565, 41.32.567, 41.32.570, and 41.32.583.

**NEW SECTION.** Sec. 20. Section headings used in this 1977 amendatory act shall not constitute any part of the law.

**NEW SECTION.** Sec. 21. Sections 1 through 17 of this 1977 amendatory act shall be added to chapter 41.32 RCW and shall be codified as consecutive sections of the Revised Code of Washington within such chapter.

**NEW SECTION.** Sec. 22. If any provision of this 1977 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.

**NEW SECTION.** Sec. 23. This 1977 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 October 1, 1977."

Signed by Senators Marsh, Jones; Representatives Sommers, McKibbin, Newhouse.

#### MOTION

On motion of Mr. McKibbin, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 866 as amended by the Free Conference Committee.

Mr. McKibbin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 866 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 81; nays, 7; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lysen, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, Oliver, Owen, Patterson, Polk, Pruitt, Salatino, Sanders, Schmiten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fischer, Keller, Lux, Martinis, Nelson G. A., Pearsall, Williams.

Not voting: Representatives Adams, Bauer, Bond, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

Substitute House Bill No. 866 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.

#### MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 867, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.



## REPORT OF FREE CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred **SUBSTITUTE HOUSE BILL NO. 867**, revising the law enforcement officers' and fire fighters' retirement system, have had the same under consideration, and we recommend that the Senate amendment not be adopted, that the substitute House bill be struck, and the bill be amended to read as follows:

**\*AN ACT** Relating to the law enforcement officers' and fire fighters' retirement system; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030; amending section 3, chapter 257, Laws of 1971 ex. sess. as last amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.045; amending section 4, chapter 257, Laws of 1971 ex. sess. as last amended by section 12, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.046; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.090; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 5, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.160; adding new sections to chapter 41.26 RCW; prescribing an effective date; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:**

**NEW SECTION.** Section 1. **LEGISLATIVE FINDING.** The legislature finds and determines that those members first employed on or before September 30, 1977, shall not suffer any diminishment or loss of benefits or rights, whether current or prospective, as the result of the enactment of this 1977 amendatory act.

**NEW SECTION.** Sec. 2. **APPLICATION TO CERTAIN PERSONS.** Sections 3 through 16 of this 1977 amendatory act shall apply only to those persons who are initially employed by an employer on or after October 1, 1977.

**NEW SECTION.** Sec. 3. **COMPUTATION OF THE RETIREMENT ALLOWANCE.** A member of the retirement system shall receive a retirement allowance equal to two percent of such member's average final compensation for each year of service.

**NEW SECTION.** Sec. 4. **RETIREMENT FOR SERVICE.** (1) **NORMAL RETIREMENT.** Any member with at least five years of service who has attained at least age fifty-eight shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act.

(2) **EARLY RETIREMENT.** Any member who has completed at least twenty years of service and has attained age fifty shall be eligible to retire and to receive a retirement allowance computed according to the provisions of section 3 of this 1977 amendatory act, except that a member retiring pursuant to this subsection shall have the retirement allowance actuarially reduced to reflect the difference in the number of years between age at retirement and the attainment of age fifty-eight.

**NEW SECTION.** Sec. 5. **POST-RETIREMENT COST-OF-LIVING.** Beginning July 1, 1979, and every year thereafter, the department shall determine the following information for each retired member or beneficiary whose retirement allowance has been in effect for at least one year:

- (1) The original dollar amount of the retirement allowance;
- (2) The index for the calendar year prior to the effective date of the retirement allowance, to be known as "index A";
- (3) The index for the calendar year prior to the date of determination, to be known as "index B"; and
- (4) The ratio obtained when index B is divided by index A.

The value of the ratio obtained shall be the annual adjustment to the original retirement allowance and shall be applied beginning with the July payment. In no event, however, shall the annual adjustment:

- (a) Produce a retirement allowance which is lower than the original retirement allowance;
- (b) Exceed three percent in the initial annual adjustment; or
- (c) Differ from the previous year's annual adjustment by more than three percent.

For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index—Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

**NEW SECTION.** Sec. 6. **EMPLOYER, MEMBER, AND STATE CONTRIBUTIONS.** The required contribution rates to the retirement system for members, employers, and the state of Washington shall be established by the director from time to time as may be necessary upon the advice of the state actuary.

The member, the employer and the state shall each contribute the following shares of the cost of the retirement system:

Member	50%
Employer	30%
State	20%

Any adjustments in contribution rates required from time to time for future costs shall likewise be shared proportionally by the members, employers, and the state: **PROVIDED**, That the costs of amortizing the unfunded supplemental present value of the retirement system, in existence on September 30, 1977, shall be borne in full by the state.

Any increase in the contribution rate required as the result of a failure of the state or of an employer to make any contribution required by this section shall be borne in full by the state or by that employer not making the contribution.

The director shall notify the retirement board of any pending adjustment in the required contribution rate and such increase shall be announced at a board meeting held at least thirty days prior to the effective date of the change.

Members' contributions required by this section shall be deducted from the members basic salary each payroll period. The members contribution and the employers contribution shall be remitted directly to the department within fifteen days following the end of the calendar month during which the payroll period ends.

Until such time as the director shall establish other rates, members, employers of such members, and the state shall each contribute the following percentages of basic salary:

Member	8.14%
Employer	4.88%
State	3.28%

In addition, the state shall initially contribute an additional twenty percent of basic salary per member to amortize the unfunded supplemental present value of the retirement system in effect on September 30, 1977.

**NEW SECTION. Sec. 7. OPTIONS FOR PAYMENT OF RETIREMENT ALLOWANCES.** Upon retirement for service as prescribed in section 4 of this 1977 amendatory act, a member shall elect to have the retirement allowance paid pursuant to Option 1, 2, or 3 with Options 2 and 3 calculated so as to be actuarially equivalent to Option 1.

(1) **OPTION 1.** A member electing this option shall receive a retirement allowance payable throughout such member's life. However, if the retiree dies before the total of the retirement allowance paid to such retiree equals the amount of such retiree's accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department; or if there be no such designated person or persons still living at the time of the retiree's death, then to the surviving spouse; or if there be neither such designated person or persons still living at the time of death nor a surviving spouse, then to the retiree's legal representative.

(2) **OPTION 2.** A member who elects this option shall receive a reduced retirement allowance, which upon the member's death shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

(3) **OPTION 3.** A member who elects this option shall receive a reduced retirement allowance, and upon the member's death one-half of the retiree's reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in the retiree's life as the retiree shall have nominated by written designation duly executed and filed with the department at the time of the retiree's retirement.

**NEW SECTION. Sec. 8. EARNED DISABILITY ALLOWANCE.** A member of the retirement system who becomes totally incapacitated for continued employment by an employer as determined by the department upon recommendation of the retirement board shall be eligible to receive an allowance under the provisions of sections 2 through 16 of this 1977 amendatory act. Such member shall receive a monthly disability allowance computed as provided for in section 3 of this 1977 amendatory act and shall have such allowance actuarially reduced to reflect the difference in the number of years between age at disability and the attainment of age fifty-eight.

Any member who receives an allowance under the provisions of this section shall be subject to such comprehensive medical examinations as required by the department. If such medical examinations reveal that such a member has recovered from the incapacitating disability and the member is offered reemployment by an employer at a comparable compensation, such member shall cease to be eligible for such allowance.

**NEW SECTION. Sec. 9. INDUSTRIAL INSURANCE.** Notwithstanding any other provision of law, members shall be eligible for industrial insurance as provided by Title 51 RCW, as now or hereafter amended, and shall be included in the payroll of the employer for such purpose.

**NEW SECTION. Sec. 10. APPLICATION FOR AND EFFECTIVE DATE OF RETIREMENT ALLOWANCES.** Any member or beneficiary eligible to receive a retirement allowance under the provisions of sections 4, 8, or 12 of this 1977 amendatory act shall be eligible to commence receiving a retirement allowance after having filed written application with the department.

(1) Retirement allowances paid to members under the provisions of section 4 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment.

(2) Retirement allowances paid to vested members no longer in service, but qualifying for such an allowance pursuant to section 4 of this 1977 amendatory act, shall accrue from the first day of the calendar month immediately following such qualification.

(3) Disability allowances paid to disabled members under the provisions of section 8 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following such member's separation from employment for disability.

(4) Retirement allowances paid as death benefits under the provisions of section 12 of this 1977 amendatory act shall accrue from the first day of the calendar month immediately following the member's death.

**NEW SECTION. Sec. 11. SUSPENSION OF RETIREMENT ALLOWANCE UPON REEMPLOYMENT BY AN EMPLOYER.** No retiree under the provisions of sections 2 through 16 of this 1977

amendatory act shall be eligible to receive such retiree's monthly retirement allowance if such retiree is performing service for any nonfederal public employer in this state.

Upon cessation of service for any nonfederal public employer in this state such retiree shall have benefits actuarially recomputed pursuant to the rules adopted by the department.

**NEW SECTION. Sec. 12. DEATH BENEFITS.** (1) If a member or a vested member who has not completed at least ten years of service dies, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death shall be paid to such person or persons having an insurable interest in such member's life as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) If a member who is eligible for retirement or a member who has completed at least ten years of service dies, the surviving spouse or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in section 4(1) of this 1977 amendatory act actuarially adjusted to reflect Option 2 of section 7 of this 1977 amendatory act and if the member was not eligible for normal retirement at the date of death a further reduction as described in section 4(2) of this 1977 amendatory act; if a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority; if there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance share and share alike calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; or

(b) The member's accumulated contributions.

**NEW SECTION. Sec. 13. SERVICE CREDIT FOR AUTHORIZED LEAVE OF ABSENCE.** (1) A member who is on a paid leave of absence authorized by a member's employer shall continue to receive service credit as provided for under the provisions of sections 2 through 16 of this 1977 amendatory act.

(2) A member shall be eligible to receive a maximum of two years service credit during a member's entire working career for those periods when a member is on an unpaid leave of absence authorized by an employer. Such credit may be obtained only if the member makes the employer, member, and state contributions plus interest as determined by the department for the period of the authorized leave of absence within five years of resumption of service or prior to retirement whichever comes sooner: PROVIDED, That for the purpose of this subsection the contribution shall not include the contribution for the unfunded supplemental present value as required by section 6 of this 1977 amendatory act. The contributions required shall be based on the average of the member's basic salary at both the time the authorized leave of absence was granted and the time the member resumed employment.

A member who is inducted into the armed forces of the United States shall be deemed to be on an unpaid, authorized leave of absence.

**NEW SECTION. Sec. 14. VESTED MEMBERSHIP.** A member who separates or has separated after having completed at least five years of service may remain a member during the period of such member's absence from service for the exclusive purpose only of receiving a retirement allowance under the provisions of section 4 of this 1977 amendatory act if such member maintains the member's accumulated contributions intact.

**NEW SECTION. Sec. 15. REFUND OF CONTRIBUTIONS ON TERMINATION.** A member who ceases to be an employee of an employer may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt for such payment. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under sections 2 through 16 of this 1977 amendatory act.

**NEW SECTION. Sec. 16. REENTRY.** A member, who had left service and withdrawn the member's accumulated contributions, shall receive service credit for such prior service if the member restores all withdrawn accumulated contributions together with interest since the time of withdrawal as determined by the department.

The restoration of such funds must be completed within five years of the resumption of service or prior to retirement, whichever occurs first.

Sec. 17. Section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.030 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the 'Washington law enforcement officers' and fire fighters' retirement system' provided herein.

(2) (a) 'Employer' for persons who establish membership in the retirement system on or before September 30, 1977, means the legislative authority of any city, town, county or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter, any authorized

association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the fire fighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or fire fighters as defined in this chapter.

(b) 'Employer' for persons who establish membership in the retirement system on or after October 1, 1977, means the legislative authority of any city, town, county, or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter.

(3) 'Law enforcement officer' means any person who is serving on a full time, fully compensated basis as a county sheriff or deputy sheriff, including sheriffs or deputy sheriffs serving under a different title pursuant to a county charter, city police officer, or town marshal or deputy marshal, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14-.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers; and

(d) The term 'law enforcement officer' also includes the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended) if such individual has five years previous membership in the retirement system established in chapter 41.20 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply.

(4) 'Fire fighter' means:

(a) any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for fire fighter, or fireman if this title is used by the department, and who is actively employed as such;

(b) anyone who is actively employed as a full time fire fighter where the fire department does not have a civil service examination;

(c) supervisory fire fighter personnel;

(d) any full time executive secretary of an association of fire protection districts authorized under chapter 52.08 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(e) the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(f) any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for fireman or fire fighter; and

(g) any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971 was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW.

(5) 'Retirement board' means the Washington public employees' retirement system board established in chapter 41.40 RCW, including two members of the retirement system and two employer representatives as provided for in RCW 41.26.050. The retirement board shall be called the Washington law enforcement officers' and fire fighters' retirement board and may enter in legal relationships in that name. Any legal relationships entered into in that name prior to the adoption of this 1972 amendatory act are hereby ratified.

(6) 'Surviving spouse' means the surviving widow or widower of a member. The word shall not include the divorced spouse of a member.

(7) 'Child' or 'children' whenever used in this chapter means every natural born child and stepchild where that relationship was in existence prior to the date benefits are payable under this chapter, posthumous child, child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter, ((stepchild)) and illegitimate child legitimized prior to the date any benefits are payable under this chapter, all while unmarried, and either under the age of eighteen years or mentally or physically handicapped as determined by the retirement board except a handicapped person in the full time care of a state institution. A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(8) 'Member' means any fire fighter, law enforcement officer, or other person as would apply under subsections (3) or (4) of this section whose membership is transferred to the Washington law enforcement officers' and fire fighters' retirement system on or after March 1, 1970, and every law enforcement officer and fire fighter who is employed in that capacity on or after such date.

(9) 'Retirement fund' means the 'Washington law enforcement officers' and fire fighters' retirement system fund' as provided for herein.

(10) 'Employee' means any law enforcement officer or fire fighter as defined in subsections (3) and (4) above.

(11) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(12) (a) "Final average salary" for persons who establish membership in the retirement system on or before September 30, 1977, means ((~~(a)~~)) (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary attached to such same position or rank at time of retirement; ((~~(b)~~)) (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; ((~~(c)~~)) (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; ((~~(d)~~)) (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) 'Final average salary' for persons who establish membership in the retirement system on or after October 1, 1977, means the monthly average of the member's basic salary for the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(13) (a) 'Basic salary' for persons who establish membership in the retirement system on or before September 30, 1977, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) 'Basic salary' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That in any year in which a member serves in the legislature such member's compensation earnable shall be the greater of:

(i) the compensation earnable the member would have received had such member not served in the legislature; or

(ii) such member's actual compensation earnable received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(14) (a) 'Service' for persons who establish membership in the retirement system on or before September 30, 1977, means all periods of employment for an employer as a fire fighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all months of service rendered by a member from and after his initial commencement of employment as a fire fighter or law enforcement officer, during which he worked for ten days or more, or the equivalent thereof, or was on disability leave or disability retirement. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. In addition to the foregoing, for members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, 'service' shall include ((~~(a)~~)) (i) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under his particular prior pension act, and ((~~(b)~~)) (ii) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160 or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act: PROVIDED, That if such member's prior service is not creditable due to the withdrawal of his contributions plus accrued interest thereon from a prior pension system, such member shall be credited with such prior service, as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to that which was withdrawn from the prior system by such member, as a law enforcement officer or fire fighter: PROVIDED FURTHER, That if such member's prior service is not creditable because, although employed in a position covered by a prior pension act, such member had not yet become a member of the pension system governed by such act, such member shall be credited with such prior service as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975,

an amount which is equal to the employer's contributions which would have been required under the prior act when such service was rendered if the member had been a member of such system during such period: **AND PROVIDED FURTHER**, That where a member is employed by two employers at the same time, he shall only be credited with service to one such employer for any month during which he rendered such dual service.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month.

Members of the retirement system who are elected or appointed to a state elective position as defined in RCW 41.40.010(30) may elect to continue to be members of this retirement system.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

If a member receives basic salary from two or more employers during any calendar year such member shall receive a total of not more than twelve months of service for such calendar year.

(15) 'Accumulated contributions' means the employee's contributions made by a member plus accrued interest credited thereon.

(16) 'Actuarial reserve' means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay his future benefits during the period of his retirement.

(17) 'Actuarial valuation' means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(18) 'Disability board' means either the county disability board or the city disability board established in RCW 41.26.110 for persons who establish membership in the retirement system on or before September 30, 1977.

(19) 'Disability leave' means the period of six months or any portion thereof during which a member is on leave at an allowance equal to his full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(20) 'Disability retirement' for persons who establish membership in the retirement system on or before September 30, 1977, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(21) 'Position' means the employment held at any particular time, which may or may not be the same as civil service rank.

(22) 'Medical services' for persons who establish membership in the retirement system on or before September 30, 1977, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered 'other medical expenses', provided that they have not been considered as 'hospital expenses'.

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopath licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic x-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when he is injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;

(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(23) 'Regular interest' means such rate as the department may determine.

(24) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(25) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(26) 'Director' means the director of the department.

(27) 'State actuary' means the person appointed pursuant to RCW 44.44.010(2).

**NEW SECTION.** Sec. 18. There is added to chapter 41.26 RCW a new section to read as follows:

The provisions of the following sections of this chapter shall apply only to persons who establish membership in the retirement system on or before September 30, 1977: RCW 41.26.080, 41.26.090, 41.26.100, 41.26.110, 41.26.120, 41.26.130, 41.26.140, 41.26.150, 41.26.160, 41.26.190, 41.26.200, 41.26.240, 41.26.250, 41.26.260, and 41.26.270.

**NEW SECTION.** Sec. 19. There is added to chapter 41.26 RCW a new section to read as follows:

Notwithstanding any other provision of law to the contrary, the employer shall provide such information as required by the state actuary regarding the award of the disability leave allowance. Such information shall include, but shall not be limited to:

- (1) The number of persons receiving disability leaves;
- (2) The certified reason for disability; when the disability was initially incurred; and, if it was duty related;
- (3) The disability leave allowance paid and for how long;
- (4) The number of replacement personnel required to cover the loss of personnel on disability leave allowance and the resulting cost incurred; and,
- (5) The age of the employee and the length of service at the time of the disability leave.

The employer shall also provide such information as required by the state actuary regarding disability and medical benefit costs including, but not limited to, those required under provisions of this chapter.

The information required by this section shall be from March 1, 1970, forward.

Sec. 20. Section 3, chapter 257, Laws of 1971 ex. sess. as last amended by section 8, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.045 are each amended to read as follows:

Notwithstanding any other provision of law after February 19, 1974 no law enforcement officer or fire fighter, may become eligible for coverage in the pension system established by this chapter, until he has met and has been certified as having met minimum medical and health standards: PROVIDED, That an elected sheriff or an appointed chief of police or fire chief, shall not be required to meet the age standard: PROVIDED FURTHER, That in cities and towns having not more than two law enforcement officers and/or not more than two fire fighters and if one or more of such persons do not meet the minimum medical and health standards as required by the provisions of this chapter, then such person or persons may join any other pension system that the city has available for its other employees: AND PROVIDED FURTHER, That for one year after February 19, 1974 any such medical or health standard now existing or hereinafter adopted, insofar as it establishes a maximum age beyond which an applicant is to be deemed ineligible for coverage, shall be waived as to any applicant for employment or reemployment who is otherwise eligible except for his age, who has been a member of any one or more of the retirement systems created by chapter 41.20 of the Revised Code of Washington and who has restored all contributions which he has previously withdrawn from any such system or systems.

Sec. 21. Section 4, chapter 257, Laws of 1971 ex. sess. as last amended by section 12, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.046 are each amended to read as follows:

By July 31, 1971, the retirement board shall adopt minimum medical and health standards for membership coverage into the Washington law enforcement officers' and fire fighters' retirement system act. In adopting such standards the retirement board shall consider existing standards recommended by the international association of chiefs of police and the international association of fire fighters, and shall adopt equal or higher standards, together with appropriate standards and procedures to insure uniform compliance with this chapter. The standards when adopted shall be published and distributed to each employer, and each employer shall adopt certification procedures and such other procedures as are required to insure that no law enforcement officer or fire fighter receives membership coverage unless and until he has actually met minimum medical and health standards: PROVIDED, That an elected sheriff or an appointed chief of police or fire chief shall not be required to meet the age standard. The retirement board may amend the minimum medical and health standards as experience indicates, even if the standards as so amended are lower or less rigid than those recommended by the international associations mentioned above. The cost of the medical examination contemplated by this section is to be paid by the employer.

Sec. 22. Section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.090 are each amended to read as follows:

Retirement of a member for service shall be made by the board as follows:

(1) Any member having five or more years of service and having attained the age of fifty years shall be eligible for a service retirement allowance and shall be retired upon his written request effective the first day following the date upon which the member is separated from service.

(2) Any member having five or more years of service, who terminates his employment with any employer, may leave his contributions in the fund. Any employee who so elects, upon attaining age fifty, shall be eligible to apply for and receive a service retirement allowance based on his years of service, commencing on the first day following his attainment of age fifty. This section shall also apply to a person who rendered service as a law enforcement officer or fire fighter, as those terms are defined in RCW 41.26.030, on or after July 1, 1969, but who was not employed as a law enforcement officer or fire fighter on March 1,

1970, by reason of his having been elected to a public office. Any member selecting this optional vesting with less than twenty years of service shall not be covered by the provisions of RCW 41.26.150, and his survivors shall not be entitled to the benefits of RCW 41.26.160 unless his death occurs after he has attained the age of fifty years. Those members selecting this optional vesting with twenty or more years service shall not be covered by the provisions of RCW 41.26.150 until the attainment of the age of fifty years: **PROVIDED**, That a member selecting this option, with less than twenty years of service credit, who shall die prior to attaining the age of fifty years, shall have paid from the Washington law enforcement officers' and fire fighters' retirement fund, to such member's surviving spouse, if any, otherwise to such beneficiary as the member shall have designated in writing, or if no such designation has been made, to the personal representative of his estate, a lump sum which is equal to the amount of such member's accumulated contributions plus accrued interest: **PROVIDED FURTHER**, That if the vested member has twenty or more years of service credit the surviving spouse or children shall then become eligible for the benefits of RCW 41.26.160 regardless of his age at the time of his death, to the exclusion of the lump sum amount provided by this subsection.

(3) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty and may not thereafter be employed as a law enforcement officer or fire fighter: **PROVIDED**, That for any member who is elected or appointed to the office of sheriff, chief of police, or fire chief, his election or appointment shall be considered as a waiver of the age sixty provision for retirement and nonemployment for whatever number of years remain in his present term of office and any succeeding periods for which he may be so elected or appointed: **PROVIDED FURTHER**, That the provisions of this subsection shall not apply to any member who is employed as a law enforcement officer or fire fighter on March 1, 1970.

Sec. 23. Section 17, chapter 209, Laws of 1969 ex. sess as last amended by section 5, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.160 are each amended to read as follows:

(1) In the event of the death of any member who is in active service, or who has vested under the provisions of RCW 41.26.090 with twenty or more years of service, or who is on disability leave or retired, whether for disability or service, his surviving spouse shall become entitled to receive a monthly allowance equal to fifty percent of his final average salary at the date of death if active, or the amount of retirement allowance the vested member would have received at age fifty, or the amount of the retirement allowance such retired member was receiving at the time of his death if retired for service or disability. The amount of this allowance will be increased five percent of final average salary for each child as defined in RCW 41.26.030(7), as now or hereafter amended, subject to a maximum combined allowance of sixty percent of final average salary: **PROVIDED**, That if the child or children is or are in the care of a legal guardian, payment of the increase attributable to each child will be made to the child's legal guardian.

(2) If at the time of the death of a vested member with twenty or more years service as provided above or a member retired for service or disability, the surviving spouse has not been lawfully married to such member for one year prior to his retirement or separation from service if a vested member, the surviving spouse shall not be eligible to receive the benefits under this section: **PROVIDED**, That if a member dies as a result of a disability incurred in the line of duty, then if he was married at the time he was disabled, his surviving spouse shall be eligible to receive the benefits under this section.

(3) If there be no surviving spouse eligible to receive benefits at the time of such member's death, then the child or children of such member shall receive a monthly allowance equal to thirty percent of final average salary for one child and an additional ten percent for each additional child subject to a maximum combined payment, under this subsection, of sixty percent of final average salary. When there cease to be any eligible children as defined in RCW 41.26.030(7), as now or hereafter amended, there shall be paid to the legal heirs of said member the excess, if any, of accumulated contributions of said member at the time of his death over all payments made to his survivors on his behalf under this chapter: **PROVIDED**, That payments under this subsection to children shall be prorated equally among the children, if more than one.

(4) In the event that there is no surviving spouse eligible to receive benefits under this section, and that there be no child or children eligible to receive benefits under this section, then the accumulated contributions shall be paid to the estate of said member.

(5) If a surviving spouse receiving benefits under the provisions of this section thereafter dies ((or remarries)) and there are children as defined in RCW 41.26.030(7), as now or hereafter amended, payment to the spouse shall cease and the child or children shall receive the benefits as provided in subsection (3) above.

(6) The payment provided by this section shall become due the day following the date of death and payments shall be retroactive to that date.

**NEW SECTION.** Sec. 24. Section headings used in this 1977 amendatory act shall not constitute any part of the law.

**NEW SECTION.** Sec. 25. Sections 1 through 16 of this 1977 amendatory act shall be added to chapter 41.26 RCW and shall be codified as consecutive sections of the Revised Code of Washington within such chapter.

**NEW SECTION.** Sec. 26. If any provision of this 1977 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.



**NEW SECTION.** Sec. 27. This 1977 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 October 1, 1977.\*

Signed by Senators Marsh, Jones; Representatives Sommers, McKibbin, Newhouse.

#### MOTION

On motion of Mr. McKibbin, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 867 as amended by the Free Conference Committee.

Representatives McKibbin and Hurley (George) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 867 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 71; nays, 17; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Hanna, Hansen, Heck, Hughes, Hurley G. S., Kilbury, King, Knedlik, Kreidler, Lockenby, Lee, Maxie, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Polk, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Enbody, Fischer, Gallagher, Grimm, Gruger, Hawkins, Keller, Lux, Lysen, Martinis, May, Pearsall, Pruitt, Walk, Williams, Winsley.

Not voting: Representatives Adams, Bauer, Bond, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

Substitute House Bill No. 867 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.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2480, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 17, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2480, revising the law on unemployment compensation, have had the same under consideration, and we recommend that the House committee amendments as amended be adopted and the following additional amendments be adopted:

On page 29, beginning on line 4 of the House amendment, strike all of sections 22 and 23 and insert the following:

\***NEW SECTION.** Sec. 22. The commissioner is authorized, with the approval of the governor, to collect from the three-tenths of one percent increase in employer contributions provided in section 10 of chapter 33, Laws of 1977 1st ex. sess., for calendar years 1978 and 1979, nine and one-tenth percent of the additional revenue generated by the three-tenths of one percent increase, or so much thereof as may be deemed appropriate by the commissioner, to be deposited in the administrative contingency fund, one-half of such deposit to be extended for the purpose of operating a quality control program similar to the pilot quality program project which ended in 1976, in local employment security offices, and one-half for increased audits and investigations of employers subject to Title 50 RCW. In determining the amount of the deposit, if any, authorized by this section, the commissioner and the governor shall consider the impact any such deposit would have on employer contributions required by the federal government for the repayment of a loan from the federal unemployment trust fund.

**NEW SECTION.** Sec. 23. (1) The provisions of this act mandating coverage of employees of political subdivisions have been enacted to comply with the provisions of Public Law 94-566. Therefore, as provided in subsection (2), this mandatory feature shall be contingent on the existence of valid and constitutional federal law requiring the Secretary of Labor to refuse to certify as approved the employment security laws of this state if such laws did not continue such mandatory coverage.

(2) In the event the mandatory coverage feature for political subdivisions ceases to be necessary for compliance with the valid and constitutional federal law, then the mandatory feature of this 1977 act shall cease to be effective as of the end of the next quarter following the quarter in which the mandatory feature contained in this 1977 act is not necessary for such compliance.

(3) In the event mandatory coverage ceases to be effective pursuant to subsection (2), then the sections, or subsections as the case may be, of this 1977 amendatory act shall to the extent that they apply to coverage of employees of political subdivisions be deemed nullified and the language of the sections being amended shall be deemed reinstated as the laws of this state.

(4) Benefits paid based on the services covered during the effective life of the mandatory coverage feature shall be financed as follows:

(a) If the political subdivision was financing payment of benefits on a reimbursable basis, benefits attributable to employment with the political subdivision shall be assessed to and paid by the political subdivision;

(b) If the political subdivision is a county, city, or town which elected financing pursuant to section 15 of this 1977 amendatory act, such political subdivision will pay 'the local government tax' for all earnings by employees through the end of the calendar quarter in which the mandatory coverage is no longer effective pursuant to subsection (2);

(c) If the political subdivision was financing benefits by the contribution method it will pay contributions on wages earned by its employees through the end of the calendar quarter in which mandatory coverage is no longer effective pursuant to subsection (2)."

On page 31 of the House amendment, after line 34 insert a new section as follows:

**"NEW SECTION.** Sec. 25. The provisions of section 11 of this 1977 amendatory act shall apply to the week ending May 21, 1977, and all weeks thereafter."

Renumber the remaining sections consecutively.

Signed by Senators Ridder, Morrison, Mardesich; Representatives Lux, Charette.

#### MOTION

On motion of Mr. Charette, the House adopted the report of the Free Conference Committee.

#### 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. 2480 as amended by the Free Conference Committee.

Representatives Charette and Newhouse spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Charette, this is the bill that does deal with the matter of classified employees. I haven't had a chance to look through these amendments, but I know earlier that they had been covered. Does this cover the classified employees in the sense that they will not be eligible for unemployment except as they have known now?"

Mr. Charette: "Representative Zimmerman, I believe the question you intended to ask, is whether or not classified employees that stop work in June and go back in September would be allowed to draw unemployment compensation during those two months during the summer, and the answer to that question is that it is taken care of in the bill and they will not be able to do so."

Mr. Zimmerman: "My question, Representative Charette, involves the Christmas holidays and the spring holidays and those other times when they would normally not be working."

Mr. Charette: "The answer to that question is that it was never a problem anyway because there is a one week waiting period on the unemployment compensation law and most of those holidays are less than a week so they never could have drawn anyway. I think the Conference Committee has come to a good compromise with this bill, putting aside the smoke screens that have been put up, and yet it is a good bill."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2480 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 87; nays, 1; not voting, 10.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Warnke.

Not voting: Representatives Adams, Bauer, Bond, Haley, Hurley M., Knowles, North, O'Brien, Pardini, Paris.

Engrossed Senate Bill No. 2480 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.

## MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 10:30 a.m., Saturday, June 18, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## ONE HUNDREDTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Saturday, June 18, 1977.

The House was called to order at 10:30 a.m. by the Speaker (Mr. Charnley presiding). The Clerk called the roll and all members were present except Representatives Adams, Barr, Bauer, Bond, Haley, Moreau, O'Brien, Pardini, Paris and Whiteside, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Meg Fischer and Tony Gaxiola. Prayer was offered by Reverend George 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.

### MESSAGES FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has passed:

**THIRD SUBSTITUTE HOUSE BILL NO. 1188,**

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 17, 1977

Mr. Speaker:

The President has signed:

**SENATE BILL NO. 2042,**

**SENATE BILL NO. 2516,**

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on **SUBSTITUTE SENATE BILL NO. 2435**, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 17, 1977

Mr. Speaker:

The Senate concurred in the House amendments to **ENGROSSED SUBSTITUTE SENATE BILL NO. 2910**, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on **SUBSTITUTE HOUSE BILL NO. 1348**, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 15, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1348, providing for increased coverage for uninsured motorists at the purchaser's option, have had the same under consideration, and we recommend that the Senate amendment not be adopted and the following substitute amendments be adopted:

On page 1, beginning on line 13 after "RCW 46.29.490" strike all material down to and including "option, on line 15 and insert "or, at the purchaser's option, up to the limits of the purchaser's motor vehicle liability coverage provided against loss from bodily injury or death"

On page 1, line 25 after "insurer." insert "Regardless of the number of motor vehicles insured under the uninsured or underinsured motorist coverage of any such policy, or the number of policies carried by an insured providing such coverage, the liability of the insurer or insurers may, at the purchaser's option, be limited to the amount stated in the policy providing the highest of such limits for such uninsured or underinsured coverages, prorated among the several insurers on the basis of their coverages: PROVIDED, That the liability of each insurer shall not exceed the limit of its coverage.

Any policy pursuant to the provisions of this section may provide that upon payment of a claim the insurer may, to the extent of such payment, be subrogated to any net amount recovered from the underinsured motorist or his insurer."

Signed by Senators Bottiger, Francis; Representatives Douthwaite, Knedlik, Taller.

## MOTION

On motion of Mr. Douthwaite, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Charnley presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1348 as amended by the Free Conference Committee.

Representatives Knedlik, Douthwaite and Greengo spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1348 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 74; nays, 5; not voting, 19.

Voting yea: Representatives Amen, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lux, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Pearsall, Pruitt, Schmittin, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Clayton, Craswell, Fancher, Sanders.

Not voting: Representatives Adams, Barr, Bauer, Becker, Bond, Deccio, Dunlap, Haley, Lee, Lysen, Moreau, O'Brien, Pardini, Paris, Polk, Salatino, Thompson, Whiteside, Winsley.

Substitute House Bill No. 1348 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.

## REPORT OF STANDING COMMITTEE

June 17, 1977

SUBSTITUTE SENATE BILL NO. 2186, Prime Sponsor: Senator Guess, exempting solar heating and energy saving improvements from the sales and use tax. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. 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 are each amended to read as follows:

In computing tax there may be deducted from the gross income the following items:

(1) Amounts derived by municipally owned or operated public service businesses, directly from taxes levied for the support or maintenance thereof: PROVIDED, That this section shall not be construed to exempt service charges which are spread on the property tax rolls and collected as taxes;

(2) Amounts derived from the sale of commodities to persons in the same public service business as the seller, for resale as such within this state. This deduction is allowed only with respect to water distribution, light and power, gas distribution or other public service businesses which furnish water, electrical energy, gas or any other commodity in the performance of public service businesses;

(3) Amounts actually paid by a taxpayer to another person taxable under this chapter as the latter's portion of the consideration due for services furnished jointly by both, if the total amount has been credited to and appears in the gross income reported for tax by the former;

(4) The amount of cash discount actually taken by the purchaser or customer;

(5) The amount of credit losses actually sustained by taxpayers whose regular books of accounts are kept upon an accrual basis;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived from the distribution of water through an irrigation system, for irrigation purposes;

(8) Amounts derived from the transportation of commodities from points of origin in this state to final destination outside this state, or from points of origin outside this state to final destination in this state, with respect to which the carrier grants to the shipper the privilege of stopping the shipment in transit at some point in this state for the purpose of storing, manufacturing, milling, or other processing, and thereafter forwards the same commodity, or its equivalent, in the same or converted form, under a through freight rate from point of origin to final destination; and amounts derived from the transportation of commodities from points of origin in the state to an export elevator, wharf, dock or ship side on tidewater or navigable tributaries thereto from which such commodities are forwarded, without intervening transportation, by vessel, in their original form, to interstate or foreign destinations: **PROVIDED**, That no deduction will be allowed when the point of origin and the point of delivery to such an export elevator, wharf, dock, or ship side are located within the corporate limits of the same city or town;

(9) Amounts derived from the production, sale, or transfer of electrical energy for resale or consumption outside the state if the production or generation of such energy is subject to tax under the manufacturing classification of chapter 82.04 RCW: **PROVIDED**, That the exemption set forth in RCW 82.04.310 shall not be applicable to the generation or production of the electrical energy so produced, sold, or transferred: **AND PROVIDED FURTHER**, That no credit has been claimed as an offset to taxes imposed under RCW 82.04.240;

(10) Amounts derived from the distribution of water by a nonprofit water association and used for capital improvements by that nonprofit water association.

**NEW SECTION, Sec. 2.** Any relief, direct or indirect, from the impact of surcharges or taxes on electric power costs, provided by a municipal corporation from revenues derived from such surcharges or taxes to any class of consumers subject to such surcharges or taxes within the power service area shall apply uniformly to all members of the class within the area: **PROVIDED**, No class shall be based on geographical location.

**NEW SECTION, Sec. 3.** If any provision of this 1977 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.

**NEW SECTION, Sec. 4.** This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state and its existing public institutions, and shall take effect immediately."

On line 1 of the title after "taxation;" strike the remainder of the title and insert "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; and creating new sections; and declaring an emergency."

Signed by Representatives Sommers, Chairwoman; Knedlik, Vice Chairman; Eng, Erickson, Kilbury, Nelson (Dick), Tilly, Winsley.

#### MOTION

Mr. King moved that the rules be suspended and Substitute Senate Bill No. 2186 be advanced to second reading and read the second time in full.

#### POINT OF ORDER

Mr. Newhouse: "Senate Bill No. 2186 is not properly before us on three counts. Number one, the striking amendment of the committee is beyond the scope and object of the bill. Number two, it's contrary to the provisions of the concurrent resolution providing for the shut down of this session in that the exemptions that could possibly, remotely, be considered to have to do with energy and revenue and the provisions of the striking amendment do neither. In neither case do they apply. And third, that the provisions of this striking amendment are the subject of a bill currently before the House—House Bill No. 623, which we should have passed yesterday."

## POINT OF ORDER

Mr. King: "His point of order would not be in order until the bill itself is before us. The matter before us at this time is the motion to suspend the rules to place the bill before us. I think at that time you could entertain, perhaps, some of his points. It would be moot if the motion to suspend the rules should be lost."

## SPEAKER'S RULING (MR. CHARNLEY PRESIDING)

The Speaker (Mr. Charnley presiding): "Representative Newhouse, I believe Representative King's point is well taken. The motion before us is to suspend the rules and place the bill before us. When the bill is before us then the questions can be properly placed before the body."

Mr. Newhouse spoke against the motion to suspend the rules.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 2186 to second reading, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 51; nays, 28; not voting, 19.

Voting yea: Representatives Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Martinis, May, McCormick, McKibbin, Nelson D., North, Owen, Pearsall, Pruitt, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Chandler, Clayton, Craswell, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hurley M., Leckenby, Lee, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Wilson, Zimmerman.

Not voting: Representatives Adams, Barr, Bauer, Becker, Bond, Deccio, Dunlap, Fortson, Haley, Hansen, Lysen, Maxie, Moreau, O'Brien, Pardini, Paris, Salatino, Whiteside, Winsley.

Substitute Senate Bill No. 2186 was passed to Committee on Rules for second reading.

## MESSAGE FROM THE SENATE

June 17, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2419, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2419, excluding law enforcement officers from the prohibition of recording private communications, have had the same under consideration, and we recommend that the House amendments not be adopted, that the Senate bill be stricken and that the bill read as follows:

"AN ACT Relating to privacy; amending section 1, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.030; amending section 4, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.060; amending section 1, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.090; and adding new sections to chapter 9.73 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.030 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, it shall be unlawful for any individual, partnership, corporation, association, or the state of Washington, its agencies, and political subdivisions to intercept, ~~((record or divulge))~~ or record any:

((+)) (a) Private communication transmitted by telephone, telegraph, radio, or other device between two or more individuals between points within or without the state by any device electronic or otherwise designed to record and/or transmit said communication regardless how such device is powered or actuated, without first obtaining the consent of all the participants in the communication;

((+)) (b) Private conversation, by any device electronic or otherwise designed to record or transmit such conversation regardless how the device is powered or actuated without first obtaining the consent of all the persons engaged in the conversation.

(2) Notwithstanding the provisions of subsection (1) of this section, wire communications or conversations (a) of an emergency nature, such as the reporting of a fire, crime, or other disaster, or (b) which convey threats of extortion, blackmail, bodily harm, or other unlawful requests or demands, or (c) which occur anonymously or repeatedly or at an extremely inconvenient hour, whether or not conversation ensues, may be recorded with the consent of one party to the conversation.

(3) Where consent by all parties is needed pursuant to this chapter, consent shall be considered obtained whenever one party has announced to all other parties engaged in the communication or conversation, in any reasonably effective manner, that such communication or conversation is about to be recorded or transmitted: PROVIDED, That if the conversation is to be recorded that said announcement shall also be recorded.

(4) An employee of any regularly published newspaper, magazine, wire service, radio station, or television station acting in the course of bona fide news gathering duties on a full time or contractual or part time basis, shall be deemed to have consent to record and divulge communications or conversations otherwise prohibited by this chapter if the consent is expressly given or if the recording or transmitting device is readily apparent or obvious to the speakers. Withdrawal of the consent after the communication has been made shall not prohibit any such employee of a newspaper, magazine, wire service, or radio or television station from divulging the communication or conversation.

Sec. 2. Section 4, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.060 are each amended to read as follows:

Any person who, directly or by means of a detective agency or any other agent, violates the provisions of ((RCW 9.73.030)) this chapter shall be subject to legal action for damages, to be brought by any other person claiming that a violation of this statute has injured his business, his person, or his reputation. A person so injured shall be entitled((; in addition to other injuries;)) to ((recover for)) actual damages, including mental pain and suffering endured by him on account of violation of the provisions of ((RCW 9.73.030)) this chapter, or liquidated damages computed at the rate of one hundred dollars a day for each day of violation, not to exceed one thousand dollars, and a reasonable attorney's fee and other costs of litigation.

Sec. 3. Section 1, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.090 are each amended to read as follows:

(1) The provisions of RCW 9.73.030 through 9.73.080 shall not apply to police and fire personnel in the following instances:

((+)) (a) Recording incoming telephone calls to police and fire stations ((for the purpose and only for the purpose of verifying the accuracy of reception of emergency calls));

((2)) (b) Video and/or sound recordings may be made of arrested persons by police officers responsible for making arrests or holding persons in custody before their first appearance in court. Such video and/or sound recordings shall conform strictly to the following:

((a)) (i) The arrested person shall be informed that such recording is being made and the statement so informing him shall be included in the recording((-));

((b)) (ii) The recording shall commence with an indication of the time of the beginning thereof and terminate with an indication of the time thereof((-);

((c)) (iii) At the commencement of the recording the arrested person shall be fully informed of his constitutional rights, and such statements informing him shall be included in the recording((-);

((d)) (iv) The recordings shall only be used for valid police or court activities.

(2) It shall not be unlawful for a law enforcement officer acting in the performance of the officer's official duties to intercept, record, or disclose an oral communication or conversation where the officer is a party to the communication or conversation or one of the parties to the communication or conversation has given prior consent to the interception, recording, or disclosure: PROVIDED, That prior to the interception, transmission, or recording the officer shall obtain written or telephonic authorization from a judge or magistrate, who shall approve the interception, recording, or disclosure of communications or conversations with a nonconsenting party for a reasonable and specified period of time, if there is probable cause to believe that the nonconsenting party has committed, is engaged in, or is about to commit a felony: PROVIDED HOWEVER, That if such authorization is given by telephone the authorization and officer's statement justifying such authorization must be electronically recorded by the judge or magistrate on a recording device in the custody of the judge or magistrate at the time transmitted and the recording shall be retained in the court records and reduced to writing as soon as possible thereafter.

Any recording or interception of a communication or conversation incident to a lawfully recorded or intercepted communication or conversation pursuant to this subsection shall be lawful and may be divulged.

All recordings of communications or conversations made pursuant to this subsection shall be retained for as long as any crime may be charged based on the events or communications or conversations recorded.

(3) Communications or conversations authorized to be intercepted, recorded, or disclosed by this section shall not be inadmissible under RCW 9.73.050.

(4) Authorizations issued under this section shall be effective for not more than seven days, after which period the issuing authority may upon application of the officer who secured the original authorization renew or continue the authorization for an additional period not to exceed seven days.

NEW SECTION, Sec. 4. There is added to chapter 9.73 RCW a new section to read as follows:

It shall not be unlawful for the owner or person entitled to use and possession of a building, as defined in RCW 9A.04.110(5), or the agent of such person, to intercept, record, or disclose communications or conversations which occur within such building if the persons engaged in such communication or conversation are engaged in a criminal act at the time of such communication or conversation by virtue of unlawful entry or remaining unlawfully in such building.

NEW SECTION, Sec. 5. There is added to chapter 9.73 RCW a new section to read as follows:

(1) Within thirty days after the expiration of an authorization or an extension or renewal thereof issued pursuant to RCW 9.73.090(2) as now or hereafter amended, the issuing or denying judge shall make a report to the administrator for the courts stating that:



- (a) An authorization, extension or renewal was applied for;
- (b) The kind of authorization applied for;
- (c) The authorization was granted as applied for, was modified, or was denied;
- (d) The period of recording authorized by the authorization and the number and duration of any extensions or renewals of the authorization;
- (e) The offense specified in the authorization or extension or renewal of authorization;
- (f) The identity of the person authorizing the application and of the investigative or law enforcement officer and agency for whom it was made; and
- (g) The character of the facilities from which or the place where the communications were to be recorded.

(2) In addition to reports required to be made by applicants pursuant to federal law, all judges of the superior court authorized to issue authority pursuant to this chapter shall make annual reports on the operation of this chapter to the administrator for the courts. The reports by the judges shall contain (a) the number of applications made; (b) the number of authorizations issued; (c) the respective periods of such authorizations; (d) the number and duration of any renewals thereof; (e) the crimes in connection with which the conversations were sought; (f) the names of the applicants; and (g) such other and further particulars as the administrator for the courts may require.

The chief justice of the supreme court shall annually report to the governor and the legislature on such aspects of the operation of this chapter as he deems appropriate including any recommendations he may care to make as to legislative changes or improvements to effectuate the purposes of this chapter and to assure and protect individual rights.

**NEW SECTION.** Sec. 6. There is added to chapter 9.73 RCW a new section to read as follows:

Each application for an authorization to record communications or conversations pursuant to RCW 9.73.090 as now or hereafter amended shall be made in writing upon oath or affirmation and shall state:

- (1) The authority of the applicant to make such application;
- (2) The identity and qualifications of the investigative or law enforcement officers or agency for whom the authority to record a communication or conversation is sought and the identity of whoever authorized the application;
- (3) A particular statement of the facts relied upon by the applicant to justify his belief that an authorization should be issued, including:
  - (a) The identity of the particular person, if known, committing the offense and whose communications or conversations are to be recorded;
  - (b) The details as to the particular offense that has been, is being, or is about to be committed;
  - (c) The particular type of communication or conversation to be recorded and a showing that there is probable cause to believe such communication will be communicated on the wire communication facility involved or at the particular place where the oral communication is to be recorded;
  - (d) The character and location of the particular wire communication facilities involved or the particular place where the oral communication is to be recorded;
  - (e) A statement of the period of time for which the recording is required to be maintained, if the character of the investigation is such that the authorization for recording should not automatically terminate when the described type of communication or conversation has been first obtained, a particular statement of facts establishing probable cause to believe that additional communications of the same type will occur thereafter;
  - (f) A particular statement of facts showing that other normal investigative procedures with respect to the offense have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous to employ;
- (4) Where the application is for the renewal or extension of an authorization, a particular statement of facts showing the results thus far obtained from the recording, or a reasonable explanation of the failure to obtain such results;
- (5) A complete statement of the facts concerning all previous applications, known to the individual authorizing and to the individual making the application, made to any court for authorization to record a wire or oral communication involving any of the same facilities or places specified in the application or involving any person whose communication is to be intercepted, and the action taken by the court on each application; and
- (6) Such additional testimony or documentary evidence in support of the application as the judge may require.

**NEW SECTION.** Sec. 7. There is added to chapter 9.73 RCW a new section to read as follows:

Within a reasonable time but not later than thirty days after the termination of the period of the authorization or of extensions or renewals thereof, or the date of the denial of an authorization applied for under RCW 9.73.090 as now or hereafter amended, the issuing authority shall cause to be served on the person named in the authorization or application for an authorization, and such other parties to the recorded communications as the judge may in his discretion determine to be in the interest of justice, an inventory which shall include:

- (1) Notice of the entry of the authorization or the application for an authorization which has been denied under RCW 9.73.090 as now or hereafter amended;
- (2) The date of the entry of the authorization or the denial of an authorization applied for under RCW 9.73.090 as now or hereafter amended;
- (3) The period of authorized or disapproved recording; and

(4) The fact that during the period wire or oral communications were or were not recorded.

The issuing authority, upon the filing of a motion, may in its discretion make available to such person or his attorney for inspection such portions of the recorded communications, applications and orders as the court determines to be in the interest of justice. On an ex parte showing of good cause to the court the serving of the inventory required by this section may be postponed or dispensed with."

Signed by Senators Francis, Clarke, Mardesich; Representatives Knowles, Newhouse, Enbody.

#### MOTION

On motion of Mr. Enbody, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Charnley Presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 2419 as amended by the Free Conference Committee.

#### POINT OF INQUIRY

Mr. Enbody yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I'm worried about the language on page 1, lines 27 through 30, which sounds like if one is bothered by phone calls in the middle of the night, he can wiretap and record said conversations with no notice to anyone else. I'd like some explanation of what the intention is in dealing with anonymous calls at awkward or inconvenient hours. It sounds like it could be used to harrass some people and I'd like to know what the intent is."

Mr. Enbody: "The bill pertains only to criminal acts and the intent of this was designed to get at the crank or obscene phone calls. It's important to keep in mind, I think, that anybody who receives such a telephone call can testify now as to the substance of the conversation, and that's admissible in court. All this says is, that under those limited circumstances, it may be recorded and used in any subsequent criminal proceedings."

Mr. Douthwaite: "Does anyone need any authorization to record such telephone calls from any police authorities, or can I just hook up a recorder to my telephone and record as I wish?"

Mr. Enbody: "Yes, you could do that. What I'm saying is that the only time it could be utilized would be in a criminal prosecution for these kinds of phone calls. In other words, if you are using them simply to record, I suppose you could do that now anyway, but the only time these would come into effect would be in a criminal proceeding, so if the person hadn't committed any crime, it's a normal phone call, the question wouldn't come up in the first place. I should point out that you raise a very interesting point. You have to distinguish between the policy and what this particular bill does. How you vote depends on whether you think this bill is a legitimate policy decision the state should make in the future. All I'm saying is that for my protective honesty, (and you may disagree with that philosophy, and that's fine) I'm trying to point out how the bill has been tightened up from the way it came over from the Senate. This is about as tight a bill as we're able to get."

#### POINT OF INQUIRY

Mr. Enbody yielded to question by Mr. Ehlers.

Mr. Ehlers: "Last time this bill was over, Representative Enbody, a number of people, in order to sell the bill to this body, assured us that appropriate language is in the bill that would assure this body that there would be a guaranteed review of the policies outlined in the concepts of this bill. That was taken out by the Free Conference Committee. Can you give us some rationale as to why that safeguard was taken out."

Mr. Enbody: "In going through the bill, Representative Ehlers, starting with page 4, the important aspects in section 5, as I see it, are that the report must, in fact, be made to the court administrators, etc., as to who made application, what it was for, what were the results of these things, so the information for review will be on file. I would have preferred to have seen a sunset clause in there, but the information necessary for any effective review is in the bill. This can be reviewed at any time we see fit and all the information is on file with the court administrators. The courts are also required to maintain records as to who applied for it, what the reasons were, and things of that nature. Probably the most objectionable portion of the bill was the prosecutorial discretion and opinions, and that has been eliminated. I think when you leave

it entirely in the court's hands as to the requirements of probable cause and warrant requirements, the information is going to be on hand for us."

Mr. Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2419 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 65; nays, 19; not voting, 14.

Voting yea: Representatives Amen, Barnes, Becker, Bender, Berentson, Blair, Clayton, Clemente, Conner, Craswell, Dunlap, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Vrooman, Walk, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Burns, Charette, Charnley, Douthwaite, Ehlers, Eng, Hawkins, Hurley G. S., Lux, Maxie, Nelson D., North, Salatino, Sherman, Shinpoch, Thompson, Valle, Williams.

Not voting: Representatives Adams, Barr, Bauer, Bond, Chandler, Deccio, Haley, Moreau, O'Brien, Oliver, Pardini, Paris, Whiteside, Winsley.

Engrossed Senate Bill No. 2419 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.

#### SECOND READING

REENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 116, by Committee on Energy and Utilities (Originally sponsored by Senators Bottiger, Lewis, Bausch and Gaspard):

Permitting the lending of state and local government credit for energy conservation services and materials.

The House resumed consideration of the resolution on second reading. (For previous action, see yesterday's Journal, 99th Day ex. sess., June 17, 1977.)

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Reengrossed Substitute Senate Joint Resolution No. 116 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Joint Resolution No. 116, and the resolution failed to pass the House by the following vote: Yeas, 47; nays, 37; not voting, 14.

Voting yea: Representatives Becker, Bender, Boldt, Burns, Charnley, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Grier, Grimm, Gruger, Hansen, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., North, Pruitt, Salatino, Sanders, Sherman, Shinoda, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Chandler, Charette, Clayton, Craswell, Dunlap, Enbody, Erak, Fancher, Fischer, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Hanna, Hawkins, Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Owen, Patterson, Pearsall, Polk, Schmitt, Shinpoch, Struthers, Taller, Tilly, Vrooman, Wilson.

Not voting: Representatives Adams, Barr, Bauer, Bond, Clemente, Deccio, Haley, Hurley M., Moreau, O'Brien, Pardini, Paris, Whiteside, Winsley.

Reengrossed Substitute Senate Joint Resolution No. 116, having failed to receive the constitutional majority, was declared lost.

#### THIRD READING

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 42, by Representatives Thompson and Kilbury:

Amending the Constitution to authorize approval of special levies by majority vote and permitting a single election in each twelve month period.

The resolution was read the third time and placed on final passage.

Representatives Fortson and Patterson spoke in favor of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 42, and the resolution passed the House by the following vote: Yeas, 75; nays, 11; not voting, 12.

Voting yea: Representatives Barnes, Becker, Bender, Berentson, Blair, Burns, Chandler, Charette, Charnley, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., Nelson G. A., North, Oliver, Patterson, Pearsall, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Boldt, Clayton, Deccio, Dunlap, Fancher, Flanagan, Hurley M., Newhouse, Owen, Polk.

Not voting: Representatives Adams, Barr, Bauer, Bond, Haley, May, Moreau, O'Brien, Pardini, Paris, Whiteside, Winsley.

Substitute House Joint Resolution No. 42, having received the constitutional two-thirds majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 2558, by Committee on State Government (Originally sponsored by Senators von Reichbauer, Ridder, Van Hollebeke, Woody, Buffington, Odegaard, Matson, Bluechel and Jones – by Governor Ray request):

Renaming the department of motor vehicles.

The Speaker (Mr. Charnley presiding) stated the question before the House to be reconsideration of final passage of the bill.

Representatives Ehlers and Polk spoke in favor of passage of the bill, and Mr. Taller spoke against it.

## ROLL CALL

The Clerk called the roll on reconsideration of final passage of Substitute Senate Bill No. 2558, and the bill passed the House by the following vote: Yeas, 61; nays, 22; not voting, 15.

Voting yea: Representatives Amen, Barnes, Becker, Bender, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson D., Nelson G. A., North, Owen, Pearsall, Polk, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Berentson, Blair, Burns, Clayton, Craswell, Deccio, Dunlap, Enbody, Fancher, Gilleland, Greengo, Newhouse, Oliver, Pruitt, Sanders, Schmitten, Shinoda, Struthers, Taller, Tilly, Walk, Zimmerman.

Not voting: Representatives Adams, Barr, Bauer, Boldt, Bond, Grimm, Haley, McKibbin, Moreau, O'Brien, Pardini, Paris, Patterson, Whiteside, Winsley.

Substitute Senate Bill No. 2558, 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. 2825, as amended by the House, by Senator Day:

Imposing an annual license fee on vehicles using propane in accordance with vehicle tonnage.

The bill was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2825 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 17; not voting, 15.

Voting yea: Representatives Amen, Barnes, Blair, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Enbody, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lux, Martinis, Maxie, May, McCormick, Nelson D., Nelson G. A., Newhouse, North, Owen, Patterson, Pearsall, Pruitt, Salatino, Schmitten, Shinoda, Shinpoch, Smith, Sommers, Struthers, Thompson, Tilly, Valle, Walk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Berentson, Chandler, Dunlap, Ehlers, Eng, Fancher, Gallagher, Hawkins, Lysen, Oliver, Polk, Sanders, Sherman, Taller, Vrooman.

Not voting: Representatives Adams, Barr, Bauer, Boldt, Bond, Deccio, Haley, Leckenby, McKibbin, Moreau, O'Brien, Pardini, Paris, Whiteside, Winsley.

Engrossed Senate Bill No. 2825 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.

## RESOLUTIONS

HOUSE RESOLUTION NO. 77-43, by Representative Lysen:

WHEREAS, The Federal Aviation Act of 1958, Section 401, subsection (k), paragraph 3, of Title IV, states that nothing therein shall be construed as restricting the collective bargaining process; and

WHEREAS, The Federal Aviation Act of 1958, Section 412, subsection (b), paragraph 1, of Title IV, states that the board shall by order disapprove any such contract or agreement it finds to be adverse to the public interest; and

WHEREAS, The Federal Aviation Act of 1958, Section 416, subsection (b), paragraph 2, of Title IV, states, in pertinent part, that no air carrier is exempt from subsection (k), Section 401, Title IV; and

WHEREAS, The Railway Labor Act, as amended, Section 10 of Title I, states that if a dispute threatens substantially to interrupt interstate commerce so as to deprive any section of the country of essential transportation service, the mediation board shall notify the President, who may, in his discretion, create a board to investigate and report on such dispute;

NOW, THEREFORE, BE IT RESOLVED, The members of the House of Representatives respectfully pray that the President and the Congress of the United States terminate the Airline Mutual Aid Agreement, as amended, as being in violation of the Federal Aviation Act of 1958, Section 401, subsection (k), paragraph 3; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the Honorable Jimmy Carter, 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. Lysen moved adoption of the resolution and spoke in favor of it.

Mr. Tilly spoke against adoption of the resolution.

## ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 77-43, and the resolution was adopted by the following vote: Yeas, 55; nays, 27; not voting, 16.

Voting yea: Representatives Amen, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Lux, Lysen, Martinis, Maxie, May, McCormick, Nelson D., North, Owen, Pearsall, Pruitt, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Berentson, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Hansen, Leckenby, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Barnes, Barr, Bauer, Blair, Bond, Haley, Knedlik, Lee, McKibbin, Moreau, O'Brien, Pardini, Paris, Salatino, Whiteside.

HOUSE RESOLUTION NO. 77-51, by Representatives Hurley (George), Douthwaite, Charnley, Lux, Burns, Gruger, Valle, Sommers, Sherman and Nelson (Dick):

WHEREAS, We will greatly miss Alice Franklin Bryant, a native of our state and "a most remarkable woman;" and

WHEREAS, Alice Franklin Bryant resided in Seattle and was for thirty years an antiwar activist, teacher, political candidate, and author; and

WHEREAS, She was a persistent and outspoken advocate of human rights, a critic of the cold war in the 1950's, and an early opponent of the Vietnam conflict; and

WHEREAS, Her pacifism had its roots in experiences of World War II, when she and her husband, William Cheney Bryant, were captured by the Japanese in the Philippines; and

WHEREAS, Having experienced the horrors of war, Alice Bryant dedicated her life to the cause of peace and to the most basic human right—the right to live in peace; and

WHEREAS, Persons of all political persuasions can greatly respect and appreciate her devotion to high and worthy principles;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognizes the invaluable contribution made to our society by a very distinguished citizen, Alice Franklin Bryant; and that this House further acknowledge and express its appreciation for her life-long efforts in raising the conscience of all people to meet the vital moral issues confronting our state and nation.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representative transmit a copy of this resolution to her daughter, Imogene Bryant Williams.

Mr. Hurley (George) moved adoption of the resolution and spoke in favor of it.

Representatives Valle and Douthwaite spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 77-55, by Representative King:

WHEREAS, There is presently pending before the State Supreme Court the case of Seattle School District v. State of Washington; and

WHEREAS, The basic issue in this case involves the power of the legislature to establish, free from judicial interference, the funding level for the largest single program in the state budget, the support of the common schools; and

WHEREAS, It is in the best interests of both the judicial branch and the legislative branch that the risk of conflict between the two branches on this issue be reduced to the lowest possible level; and

WHEREAS, This goal is best attained by means of ensuring that the judicial branch is available to it all pertinent information relating to the recent history of school financing in this state and the changes made in school financing by the present legislature;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, that the House Appropriations Committee shall prepare, in a manner suitable for presentation to the Supreme Court, with the assistance of the appropriate state agencies, tables and charts showing the following information:

- (1) Total revenues per pupil for the school years 1960-61 through 1976-77;
- (2) The breakdown of these totals into their various components, including excess levies, local discretionary funds, general state apportionment funds, state categorical funds, state teacher retirement contributions, and federal funds;
- (3) State-wide compensation levels for school district employees for the school years 1960-61 through 1976-77;
- (4) Appropriate inflation indexes for these school years;
- (5) Projections for each component included under item (2) above, for the school years 1977-78 and 1978-79, based upon the changes in school financing made by the present legislature; and
- (6) Such other related information as may be deemed appropriate by the Committee.

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

HOUSE RESOLUTION NO. 77-46, by Representatives Erickson, Burns, Oliver, Chandler, Moreau, Patterson and Grimm:

WHEREAS, The State of Washington presently provides grant and work/study aid to students enrolled in postsecondary education; and

WHEREAS, The need for state and federal financial aid for needy students in Washington still exceeds available funding by \$20 million per year; and

WHEREAS, Many middle income students are unable to qualify as financially needy for receipt of state or federal student aid; and

WHEREAS, Studies have shown that many students are unable to complete their schooling because of inability to obtain sufficient funds; and

WHEREAS, Private lending institutions in Washington are reluctant to increase the number of loans to students because of restrictive federal requirements in the administration of federally insured student loans; and

WHEREAS, Congress, in 1976, provided incentives to states to establish state guaranteed loan programs; and

WHEREAS, Experience in other states indicates that state guaranteed loan programs result in increased availability of low interest student loans at a lower default rate than that experienced in the federally insured loan program;

NOW, THEREFORE, BE IT RESOLVED, That the Council for Postsecondary Education study and recommend alternative ways in which the state can encourage private lenders to

make additional loans to students, including, but not limited to, the establishment of a state guaranteed student loan program; and

BE IT FURTHER RESOLVED, That the Council for Postsecondary Education report to the legislature by December 1, 1977, on the feasibility and constitutionality of state involvement in guaranteed student loan programs.

On motion of Ms. Erickson, the resolution was adopted.

HOUSE RESOLUTION NO. 77-54, by Representatives Polk, Conner, Taller and Sommers:

WHEREAS, The Department of the Army has announced plans to reduce the number of Army Reserve Civil Affairs Brigades nationally from ten to six, and one of the units scheduled to be disbanded is the 365th Civil Affairs Brigade of Washington State with the result that the nearest such unit would then be stationed in Portland, Oregon; and

WHEREAS, Fort Lawton is the home base of the 365th Civil Affairs Brigade, which includes among its 133 members, reservists from Eastern as well as Western Washington areas with a supporting Civil Affairs Company located in Bellingham and a detachment in Wenatchee; and

WHEREAS, The 365th Civil Affairs Brigade was the first such unit in the United States to conduct a local government emergency resource survey, which was done for the purpose of aiding Cowlitz, King and Pierce counties with planning for disaster relief; and

WHEREAS, The geographical location of the 365th Civil Affairs Brigade facilitates close coordination with the military installations of Fort Lewis and McChord Air Force Base thus permitting the unit to fulfill its mission of providing direct and constant support to both civil and military elements in the event of disaster; and

WHEREAS, The 365th Civil Affairs Brigade has consistently displayed the high quality of its expertise, dedication and exceptional performance as reflected in annual general and logistics evaluations and by earning the Army Reserve "Superior Unit" award for sixteen of the last seventeen years; and

WHEREAS, An additional \$400,000 per year is added to the disposable income of the state's economy from the personnel assigned to the 365th Civil Affairs Brigade;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives respectfully petitions the Washington State members of Congress to request from the Department of Defense and the Department of the Army a full response concerning the reasons and justifications for reduction in Reserve Civil Affairs activities, and particularly the specifics of the decision to disband the 365th Civil Affairs Brigade; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House shall cause copies of this resolution to be transmitted immediately to the Washington State members of Congress, the Department of Defense and the Department of the Army.

On motion of Mr. Polk, House Resolution No. 77-54 was adopted.

HOUSE RESOLUTION NO. 77-48, by Representatives North, Gaines and Sherman:

WHEREAS, For the past 17 years Coach Frank Osborne of Enumclaw High School has helped his young baseball players in the development of their athletic skills; and

WHEREAS, The Enumclaw High School Hornets have often represented the Seamont League in the State Class AA Baseball Tournament, only to finish in second place; and

WHEREAS, The Enumclaw Hornets on June 5, 1977, won their first state athletic championship; and

WHEREAS, Mark Pedersen pitched a no-hitter in the championship game, a 2-0 victory over West Valley of Yakima, the first such no-hitter ever pitched in a championship; and

WHEREAS, The members of the Hornets showed great team effort and poise in their victory; and

WHEREAS, The young athletes showed great personal discipline by sacrificing many of the traditional frivolities enjoyed during the spring, especially by seniors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extends its congratulations and good wishes to Coach Osborne and the entire Enumclaw baseball team; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to Coach Osborne and each member of the Enumclaw Hornets.

On motion of Mrs. North, the resolution was adopted.

HOUSE RESOLUTION NO. 77-52, by Representatives Nelson (Dick), Hawkins, Owen, Conner, Valle, Douthwaite, Hurley (George), Williams, Pruitt, Charnley, Smith, Martinis and Enbody:

WHEREAS, It is in the best interests of the people of the state of Washington to preserve Puget Sound as the only relatively unpolluted major estuary left in the United State; and

WHEREAS, Puget Sound is therefore a unique national asset; and

WHEREAS, With the flow of Alaskan crude oil reaching nearly 1.2 million barrels per day by mid-1978, it is estimated that approximately 600,000 barrels per day will have to be transported from the West Coast to refineries in the Midwestern United States; and

WHEREAS, A major transshipment port has been suggested at or near the entrance to Puget Sound, posing a threat to the \$1.8 billion dollar economic worth of Northern Puget Sound; and

WHEREAS, A likely short-term and a possible long-term alternative to transshipment exists in the form of the shipment of Alaskan crude oil to Japan in exchange for Middle Eastern oil transported to the Midwestern United States and/or to Eastern Canada in exchange for continuation of oil delivery by existing pipeline from Canada to the U. S. Northern tier and Puget Sound; and

WHEREAS, Such an exchange would eliminate needless tanker movements and greatly reduce the risk of major oil spills and damage to the Puget Sound and the coastal waters of Washington state; and

WHEREAS, Such an exchange would require the approval of President Carter and the consent of the United States Congress;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby urge the President and the Congress of the United States to give careful consideration to the benefits of granting such approval and consent as necessary to allow for the exchange of Alaskan crude oil for an equivalent amount of Middle Eastern oil through a trade involving Japan and/or Canada.

Mr. Nelson (Dick) moved adoption of the resolution.

Representatives Nelson (Dick) and Lysen spoke in favor of the resolution, and it was adopted.

#### MESSAGES FROM THE SENATE

June 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2480, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 17, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, charging tuition and fees at state institutions of higher education based on portion of educational costs incurred, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Odegaard, Benitz, Sandison; Representatives Erickson, Enbody.

#### MOTION

On motion of Ms. Erickson, the House adopted the report of the Conference Committee, and granted the committee the powers of Free Conference.



The Speaker assumed the Chair.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 236,  
SUBSTITUTE HOUSE BILL NO. 865,  
SUBSTITUTE HOUSE BILL NO. 866,  
SUBSTITUTE HOUSE BILL NO. 867,  
SENATE BILL NO. 2042,  
SENATE BILL NO. 2516.

The Speaker declared the House to be at ease until 1:30 p.m.  
The Speaker (Mr. Charnley presiding) called the House to order.

MESSAGES FROM THE SENATE

June 18, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 236,  
SUBSTITUTE HOUSE BILL NO. 660,  
SUBSTITUTE HOUSE BILL NO. 865,  
SUBSTITUTE HOUSE BILL NO. 866,  
SUBSTITUTE HOUSE BILL NO. 867,  
SUBSTITUTE HOUSE BILL NO. 1120,  
SUBSTITUTE HOUSE BILL NO. 1310,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2419, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 18, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2435,  
SENATE BILL NO. 2480,  
SUBSTITUTE SENATE BILL NO. 2910,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. Charnley presiding) announced the Speaker was signing:  
SUBSTITUTE SENATE BILL NO. 2435,  
SENATE BILL NO. 2480,  
SUBSTITUTE SENATE BILL NO. 2910.

MESSAGE FROM THE SENATE

June 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 17, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, charging tuition and fees at state institutions of higher education based on portion of educational costs incurred, have had the same under consideration, and we recommend that the Senate amendment not be adopted, that the substitute House bill be struck and the bill be amended to read as follows:

\*AN ACT Relating to tuition and fees of the state institutions of higher education; amending section 59, chapter 169, Laws of 1977 1st ex. sess. (presently uncodified); amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 36, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.100; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 37, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.380; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; amending section 22, chapter 279, Laws of 1971 ex. sess. as amended by section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; amending section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 78, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.40.361; setting forth new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess., section 38, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.400; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; providing for the expiration of a section hereof; and declaring an emergency.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**NEW SECTION.** Section 1. It is the intent of the legislature that amounts charged for general tuition and operating fees shall reflect the proportional operating cost of instruction at the state universities. It is the further intent of the legislature that such fees charged to undergraduate resident students at the state universities be not more than twenty-five percent of the cost of undergraduate university instruction, that such fees charged to undergraduate resident students at the regional universities and The Evergreen State College be not more than eighty percent of the total of general tuition and operating fees charged to state university undergraduate resident students and that such fees charged to undergraduate resident students at community colleges be not more than forty-five percent of the total of general tuition and operating fees charged to state university undergraduate resident students.

Sec. 2. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 36, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.100 are each amended to read as follows:

The board of regents (and) or board of trustees at each of the state's regional and state universities and at The Evergreen State College shall charge to and collect from each of the students registering at the particular institution for any quarter or semester such general tuition fees, operating fees, services and activities fees, and other fees as such board shall in its discretion determine, the total of all such fees, the general tuition fee, operating fee, and services and activities fee, to be rounded-out to the nearest whole dollar amount: PROVIDED, That such general tuition fees and operating fees for ((quarters)) other than summer session quarters or semesters shall be in ((at least)) the amounts for the respective institutions as otherwise set forth in ((RCW 28B.15.200, 28B.15.300, 28B.15.400 and 28B.15.500)) this chapter, as now or hereafter amended: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be ((consistent with RCW 28B.15.500)) in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended.

**NEW SECTION.** Sec. 3. General tuition fees, operating fees, and services and activities fees at the University of Washington and at Washington State University for other than summer quarters or semesters shall be as follows:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, for the 1977-78 academic year the total of general tuition and operating fees shall be five hundred and forty-three dollars, and for the 1978-79 academic year, and thereafter, the total of general tuition and operating fees shall be five hundred and seventy dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be one hundred and seventeen dollars.

(2) For full time resident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, for the 1977-78 academic year the total of general tuition and operating fees shall be six hundred and twenty-four dollars, and for the 1978-79 academic year, and thereafter, the total of general tuition and operating fees shall be six hundred and fifty-four dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be one hundred and seventeen dollars.

(3) For full time resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, for the 1977-78 academic year the total of general tuition and operating fees shall be eight hundred and fifty-eight dollars, and for the 1978-79 academic year, and thereafter, the total of general tuition and operating fees shall be nine hundred and twelve dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be three hundred and thirty-three dollars.

(4) For full time nonresident undergraduate students and such other full time nonresident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, or doctor of veterinary medicine, for each academic year of the 1977-79 biennium, and thereafter, the total of general tuition and operating fees shall be two thousand two hundred and seventy-seven dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be three hundred and forty-five dollars.

(5) For full time nonresident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, for each academic year of the 1977-79 biennium, and thereafter, the total of general tuition and operating fees shall be two thousand six hundred and nineteen dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be three hundred and forty-five dollars.

(6) For full time nonresident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, for each academic year of the 1977-79 biennium, and thereafter, the total of general tuition and operating fees shall be three thousand six hundred and forty-two dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be five hundred and forty-three dollars.

(7) The boards of regents of each of the state universities shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (6) hereof a services and activities fee which for each academic year shall not exceed one hundred and seventeen dollars.

NEW SECTION. Sec. 4. General tuition fees, operating fees, and services and activities fees at the regional universities and The Evergreen State College for other than summer quarters or semesters shall be as follows:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs, for the 1977-78 academic year the total of general tuition and operating fees shall be four hundred and twenty-nine dollars, and for the 1978-79 academic year, and thereafter, the total of general tuition and operating fees shall be four hundred and fifty-six dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be seventy-five dollars.

(2) For full time resident graduate students, for the 1977-78 academic year the total of general tuition and operating fees shall be four hundred and eighty-nine dollars, and for the 1978-79 academic year, and thereafter, the total of general tuition and operating fees shall be five hundred and twenty-two dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be seventy-five dollars.

(3) For full time nonresident undergraduate students and all other full time nonresident students not in graduate study programs, for each academic year of the 1977-79 biennium, and thereafter, the total of general tuition and operating fees shall be one thousand eight hundred and twenty-one dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be two hundred and eighty-eight dollars.

(4) For full time nonresident graduate students, for each academic year of the 1977-79 biennium, and thereafter, the total of general tuition and operating fees shall be two thousand and ninety-four dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be two hundred and eighty-eight dollars.

(5) The boards of trustees of each of the state colleges shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (4) hereof a services and activities fee which for each academic year shall not exceed one hundred and sixty-two dollars.

Sec. 5. Section 28B.15.500, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500 are each amended to read as follows:

General tuition fees, operating fees and services and activities fees (~~charged students registered~~) at each community college other than at summer quarters shall be as follows:

(1) ~~((Full-time resident students:~~

(a) General tuition fee, forty-one dollars and fifty cents per quarter;

(b) Operating fees, twenty-seven dollars per quarter; and

(c) Services and activities fees, not more than fourteen dollars and fifty cents per quarter.

(2) Full time nonresident students:

(a) General tuition fee, one hundred thirty-one dollars and fifty cents per quarter;

(b) Operating fees, eighty-one dollars per quarter; and

(c) Services and activities fees, not more than fourteen dollars and fifty cents per quarter.)) For full

time resident students, for the 1977-78 academic year the total of general tuition and operating fees shall be two hundred and forty dollars, and for the 1978-79 academic year, and thereafter, the total of general tuition and operating fees shall be two hundred and fifty-five dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be one hundred and twenty-four dollars and fifty cents.

(2) For full time nonresident students, for each academic year of the 1977-79 biennium, and thereafter, the total of general tuition and operating fees shall be one thousand one hundred and thirty-seven dollars: PROVIDED, That the general tuition fee for such academic years and each academic year thereafter shall be three hundred and ninety-four dollars and fifty cents.

(3) The boards of trustees of each of the state community colleges shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) and (2) hereof a services and activities fee which for each academic year shall not exceed fifty-one dollars.

(4) Tuition, operating fees and services and activities fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.

The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

NEW SECTION. Sec. 6. It is the intent of the legislature that needy students not be deprived of access to higher education due to increases in educational costs or consequent increases in tuition and fees. It is the sense of the legislature that state appropriations for student financial aid be adjusted in an amount which together with funds estimated to be available in the form of basic educational opportunity grants as authorized under Section 411 of the federal Higher Education Act of 1965 as now or hereafter amended will equal twenty-four percent of any change in revenue estimated to occur as a result of revisions in tuition and fee levels under the provisions of this 1977 amendatory act.

NEW SECTION. Sec. 7. The house and senate higher education committees shall develop, in cooperation with the council for postsecondary education and the respective fiscal committees of the house and senate, the office of fiscal management and the state institutions of higher education no later than January 1978, and at each two year interval thereafter, definitions, criteria and procedures for the operating cost of instruction for the state universities upon which general tuition and operating fee recommendations will be based.

NEW SECTION. Sec. 8. In accordance with its responsibilities under RCW 28B.80.030(3), the council for postsecondary education shall make recommendations to the governor and the legislature for adjustments in the amounts of tuition and operating fees consistent with the intent of this 1977 amendatory act. Such recommendations shall be made not later than November 10th of each even-numbered year and shall be based on the operating cost of instruction for the state universities for the biennium then in effect, such operating costs to be calculated in accordance with definitions, criteria and procedures which have been approved as provided in section 7 of this 1977 amendatory act.

Sec. 9. Section 22, chapter 279, Laws of 1971 ex. sess. as amended by section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620 are each amended to read as follows:

(1) The tuition and operating fees charged to veterans of the Vietnam conflict who have served in the southeast Asia theater of operations attending institutions of higher learning shall be ((exempted from the payment of any increase in tuition and fees as are imposed by this 1971 amendatory act and shall not be required to pay more than the total amount of tuition and fees in effect on March 29, 1971-)), for each academic year of the 1977-79 biennium and thereafter adjusted at the same dollar amount as are the tuition and operating fees of resident undergraduate students: PROVIDED ((FURTHER)), That for the purposes of this ((exemption) section, 'veterans of the Vietnam conflict' shall be those persons who have been on active federal service as a member of the armed military or naval forces of the United States between a period commencing August 5, 1964, and ending on ((such date as shall thereafter be determined by duty adopted concurrent resolution of the legislature of this state or by presidential proclamation or concurrent resolution of the congress terminating the conflict involving United States forces battling in South Vietnam)) May 7, 1975 and who qualify as a resident student under RCW 28B.15.012 and who have enrolled in state institutions of higher education on or before the effective date of this 1977 amendatory act.

(2) The provisions of this section shall be null and void and of no effect after July 1, 1981.

Sec. 10. Section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as last amended by section 37, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.380 are each amended to read as follows:

In addition to any other exemptions as may be provided by law, the board of regents at the state universities may exempt the following classes of persons from the payment of general tuition fees, operating fees, or services and activities fees except for individual instruction fees: (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such persons are no longer entitled to federal vocational or educational benefits conferred by virtue of their military service: AND PROVIDED FURTHER, That if any such veterans have not resided in this state for one year prior to registration said board may exempt them up to one-half of the tuition payable by other nonresident students: AND, PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in universities on or before October 1, 1977. (2) Members of the staffs of the University of Washington and Washington State University: PROVIDED, That for the purposes of this subsection 'staffs' shall not apply to faculty and administrative exempt employees. (3) ((Teachers in the public schools of the state who supervise the cadet teachers from the University of Washington. (4))) Children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 11. Section 9, chapter 269, Laws of 1969 ex. sess. as last amended by section 78, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.40.361 are each amended to read as follows:

The boards of trustees of The Evergreen State College may exempt from the payment of general tuition, operating fees, or services and activities fees, except for individual instruction fees, (1) all veterans who

served in the armed forces of the United States who have served the United States during any period of war as defined in RCW 41.04.005 and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release from active service: PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service: PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in state colleges on or before October 1, 1977, and (2) all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

Sec. 12. Section 59, chapter 169, Laws of 1977 1st ex. sess. (presently uncodified) is hereby amended to read as follows:

The boards of trustees of each regional university may exempt from the payment of general tuition, operating fees, or services and activities fees, except for individual instruction fees, (1) all veterans who served in the armed forces of the United States who have served the United States during any period of war as defined in RCW 41.04.005 and who shall have served with evidence of conduct other than undesirable, bad conduct or dishonorable upon release from active service: PROVIDED, That such person is no longer entitled to federal vocational or educational benefits conferred by virtue of his military service: PROVIDED FURTHER, That such exemptions shall be provided only to those persons otherwise covered who were enrolled in the regional universities on or before October 1, 1977, and (2) all children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

NEW SECTION. Sec. 13. For the period commencing August 1, 1977, and ending July 31, 1981, those students enrolled in undergraduate programs at Washington state universities and regional universities and The Evergreen State College who are residents of the Canadian province of British Columbia, shall pay the same amount of general tuition, operating, and services and activities fees charged Washington resident students enrolled in the same programs: PROVIDED, That if a different tuition and fee schedule shall be charged Washington state students attending institutions of higher education located in the Canadian province of British Columbia than for resident students thereof, the provisions of this section shall cease to be in effect at the end of the fiscal year in which the different tuition and fee schedule is so charged.

The council for postsecondary education shall review the costs of such pilot program and make recommendations to the legislative session, commencing January, 1981, on the possible continuation of this experimental program. Following such review, the legislature shall make the determination to extend or terminate the program.

NEW SECTION. Sec. 14. The following acts or parts of acts are hereby repealed:

(1) Section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200;

(2) Section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300;

(3) Section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess., section 38, chapter 169, Laws of 1977 1st ex. sess. and RCW 28B.15.400; and

(4) Section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630.

NEW SECTION. Sec. 15. Notwithstanding any other section of this 1977 amendatory act, the boards of regents and trustees of the respective institutions of higher education shall set aside from general tuition and fees charged in each schedule an amount heretofore pledged and necessary for the purposes of bond retirement until such time as any such debt has been satisfied.

NEW SECTION. Sec. 16. Sections 3 and 4, and 6 through 8 of this 1977 amendatory act are added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

NEW SECTION. Sec. 17. If any provision of this 1977 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.

NEW SECTION. Sec. 18. This 1977 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."

Signed by Senators Odegaard, Benitz, Sandison; Representatives Erickson, Enbody, Chandler.

#### MOTION

Ms. Erickson moved that the report of the Free Conference Committee be adopted.

Representatives Erickson and Chandler spoke in favor of the motion, and it was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Charnley presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 312 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 312 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 68; nays, 13; not voting, 17.

Voting yea: Representatives Amen, Barnes, Becker, Boldt, Chandler, Charnley, Clayton, Clemente, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Kilbury, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, May, McCormick, McKibbin, Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Pearsall, Polk, Pruitt, Sanders, Schmitt, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Tallor, Thompson, Tilly, Valle, Vrooman, Walk, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Burns, Charette, Eng, Gaines, Hurley G. S., King, Lux, Maxie, Nelson D., Salatino, Warnke, Williams.

Not voting: Representatives Adams, Barr, Bauer, Berentson, Blair, Bond, Conner, Erak, Haley, Hughes, Hurley M., Keller, Moreau, O'Brien, Pardini, Paris, Whiteside.

Engrossed Substitute House Bill No. 312 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.

## EXPLANATION OF VOTE

My vote in favor of the final passage of Engrossed Substitute House Bill No. 312 was in error. At the moment of the vote I was busy away from my desk and I asked my seat mate, Representative Sommers, to vote for me against the bill. She misunderstood and voted me for it. I recognize the bill is a rational compromise but I still oppose the tuition hike as a tax on those who are often unable to pay.

JEFF DOUTHWAITE, 43rd District.

The Speaker resumed the Chair.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 251.

## RESOLUTIONS

HOUSE RESOLUTION NO. 77-57, by Representatives Hanna and Struthers:

WHEREAS, It has been demonstrated that there exists an imminent need to reform the criminal sentencing system in Washington State; and

WHEREAS, The Washington State House of Representatives has done extensive work in revising the criminal sentencing system; this work having been formulated in ESHB 614, which is currently before the Senate Committee on Judiciary; and

WHEREAS, It is apparent that before final consideration can be given, the impact of this legislation must be examined;

NOW, THEREFORE, LET IT BE RESOLVED, That the House of Representatives request the Board of Prison Terms and Paroles to perform a study of the impact of ESHB 614 to include:

(1) The effects of ESHB 614 on the sentencing of persons serving terms of confinement in state correctional institutions at the time the bill becomes effective, and

(2) Proposed standard ranges of punishment as prescribed by this legislation.

BE IT FURTHER RESOLVED, That the Department of Social and Health Services be requested to study the fiscal impacts of the proposed standard ranges.

BE IT FURTHER RESOLVED, That the Washington Association of Prosecuting Attorneys be requested to propose guidelines and procedures which are designated to afford similarly situated defendants equal opportunity with respect to plea bargaining discussions and agreements.

BE IT FURTHER RESOLVED, That the above studies and proposal be completed and submitted to the appropriate committees of the legislature no later than January 1, 1978.

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

HOUSE RESOLUTION No. 77-56, by Representatives Fortson, Wilson, Berentson, Martinis and Vrooman:

WHEREAS, The Classic U is a 255 acre tract of old growth timber on Whidbey Island just east of South Whidbey State Park; and

WHEREAS, The Classic U is composed mostly of huge, old, first-growth timber; and  
 WHEREAS, This acreage is owned by the University of Washington and managed by the Department of Natural Resources; and

WHEREAS, The Department of Natural Resources has now determined that this land is now prime for harvesting, and has contracted with an excavating company to clearcut the timber; and

WHEREAS, No environmental impact statement has been filed to demonstrate any effects upon the surrounding area, especially the South Whidbey State Park; and

WHEREAS, No study of the clearcutting's effects upon the wildlife in Classic U has been conducted, even though a representative of the Department of Game has publicly expressed fears for the welfare of rare and endangered species of wildlife in the area; and

WHEREAS, No alternative forms of logging, such as selective cutting, have been examined by the Department; and

WHEREAS, First growth timber, being hundreds of years old, should perhaps be considered to be endangered species themselves;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Department of Natural Resources be requested to reexamine alternative uses of the Classic U tract, rather than clearcutting its growth for a very temporary financial gain; the Department shall present its findings to the House Natural Resources Committee for legislative evaluation; and

BE IT FURTHER RESOLVED, That the University of Washington be requested to explain to the citizens of South Whidbey its position regarding the future use of Classic U.

On motion of Mrs. Fortson, the resolution was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1133,  
 THIRD SUBSTITUTE HOUSE BILL NO. 1188.

#### MOTION

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

#### SECOND READING

On motion of Mr. King, the Committee on Appropriations was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 2700, and it was placed at the top of the second reading calendar.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. King, the Rules Committee was relieved of SUBSTITUTE SENATE BILL NO. 2186, and it was placed on the second reading calendar immediately following Engrossed Substitute Senate Bill No. 2700.

#### MESSAGE FROM THE SENATE

June 18, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2825, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2700, by Committee on Ways and Means (Originally sponsored by Senator Donohue):

Imposing school levy limitations.

The bill was read the second time.

Mr. Thompson moved adoption of the following amendment:

On page 3, beginning on line 31 strike all of section 4 and insert the following:

**"NEW SECTION.** Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 84.52 RCW a new section to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of section 3 of this amendatory act shall be as follows:

(1) For excess levies in 1977 for collection in 1978:

To the extent that any district receives funds through the state apportionment formula in excess of the amount anticipated by such a district when it established its excess levy for collection in 1978 and when such excess can be utilized to relieve special levy burdens, then such a district should place a first priority on reducing its special levy: **PROVIDED**, That no school district whose average compensation is above the statewide average shall increase from any source such compensation levels above six percent of the school district's 1976-77 compensation level: **PROVIDED FURTHER**, That school districts whose average compensation is increased a maximum of four percent from state funds shall be allowed to increase, from excess tax levies, compensation which shall be the difference between four percent and any positive percentage change from the prior year's United States Consumer Price Index or an additional two percent whichever is less: **PROVIDED FURTHER**, That those contracts which have been negotiated prior to the effective date of this act by those school districts for such school year shall not be abrogated by this act: **PROVIDED FURTHER**, That nothing shall preclude a school district whose average compensation level is below the state average compensation level from providing increases from these sources, except that in no event shall such district exceed the statewide average compensation level by more than six percent.

(2) For excess levies in 1977 for collection in 1979; for excess levies in 1978 for collection in 1979 and thereafter, the sum of:

(a) That amount equal to ten percent of each school district's prior year basic education allocation converted to one hundred percent of formula; plus

(b) That amount equal to each school district's prior year basic education allocation converted to one hundred percent of formula minus each school district's basic education allocation for such school year.

Funds so authorized under this 1977 amendatory act shall not be used to increase the average compensation for certificated and classified staff employees in any school district: **PROVIDED**, That school districts whose average compensation is increased a maximum of four percent from state funds shall be allowed to increase such compensation by the difference between four percent and any positive percentage change from the prior year's United States Consumer Price Index or an additional two percent whichever is less: **PROVIDED FURTHER**, That any school district whose average compensation is below statewide average compensation level during the preceding school year, may collect and expend property taxes authorized by this 1977 amendatory act for the purpose of increasing such district average compensation up to but not to exceed the statewide average compensation for the preceding school year.

For the purpose of this section, the basic education allocation shall be determined pursuant to RCW 28A.41.130, RCW 28A.41.140, and RCW 28A.41.145, as now or hereafter amended.

Certificated employees shall include those persons employed by a school district in a teaching, instruction, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent. Classified employees shall include those persons employed by a school district other than certificated employees as defined in this section in a capacity for which certification is not required.

For the purpose of subsection (2) of this section, the superintendent of public instruction may grant local school districts authority to exceed the levy limitations imposed by said subsection: **PROVIDED**, That said limitations can only be exceeded by an amount that will insure local school districts the ability to raise a total excess levy dollar amount per annual average full time equivalent student which when combined with the basic education allocation is equal to but does not exceed one hundred and four percent of the previous school year's comparable dollars per annual average full time equivalent student.

The superintendent of public instruction shall develop rules and regulations to inform school districts of the pertinent data necessary to carry out the provisions of this act."

Mr. Shinpoch moved adoption of the following amendments to the Thompson amendment:

On page 1, line 17 after "1976-77 compensation level:" strike all the material down to and including "whichever is less." on line 22.

On page 2 of the amendment, line 3 after "any school district: **PROVIDED**," strike all the material down to and including "is less: **PROVIDED FURTHER**," on line 8.

Mr. Shinpoch spoke in favor of the amendments to the amendment, and Mr. Thompson spoke against them.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Shinpoch, your amendment starts on line 17, but there is a proviso starting on line 14 which is left in there. Unless I'm missing something it says you can raise the level a total of six percent and if you strike out your portion, the way I read it, you can go ahead and raise it six percent without any reference to the SPI. If I'm wrong please correct me."



Mr. Shinpoch: "I would agree with you that the language is convoluted; it is an extremely difficult amendment to understand. I read it that the first proviso that you are reading does not pertain to special levies, that the proviso that allows you to use levies from excess tax levies to increase compensation is the proviso that I'm striking. As I read it, you would not be able to use the former. However, you understand this is just my judgment based on attempting to read what this really says."

Mr. Taller spoke in favor of the amendments to the amendment.

Mr. Charnley demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Shinpoch to the Thompson amendment to Engrossed Substitute Senate Bill No. 2700, and the amendments were not adopted by the following vote: Yeas, 34; nays, 46; not voting, 18.

Voting yea: Representatives Amen, Barnes, Becker, Berentson, Chandler, Clayton, Craswell, Fancher, Fischer, Flanagan, Fortson, Fuller, Greengo, Hanna, Hansen, Hawkins, Hurley M., Leckenby, May, McKibbin, Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Schmitt, Shinoda, Shinpoch, Struthers, Taller, Tilly, Zimmerman.

Voting nay: Representatives Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Erak, Erickson, Gaines, Gallagher, Grier, Grimm, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Lee, Martinis, Maxie, McCormick, Nelson D., Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Barr, Bauer, Bond, Deccio, Enbody, Eng, Gilleland, Gruger, Haley, Knedlik, Lux, Lysen, Moreau, O'Brien, Pardini, Paris, Whiteside.

The Speaker stated the question before the House to be the amendment by Representative Thompson.

Mr. Thompson spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Thompson, I'm looking at a draft of your amendment, and I understand some changes were made in the majority caucus which took out the language in the original draft of including benefits when the reference was made to compensation. Can you give me a reason why there should not be a reference that compensation does include benefits?"

Mr. Thompson: "Representative Patterson, those words were simply redundant in the original draft. Compensation generally is construed to include defined benefits as they are defined in the budget bill."

Mr. Patterson: "Representative Thompson, are you telling me that the budget bill itself will define compensation as including benefits?"

Mr. Thompson: "Yes."

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Flanagan.

Mr. Flanagan: "Does compensation in here as it's worded include all benefits including retirement benefits?"

Mr. Thompson: "Representative Flanagan, I'm not going to give you a specific answer regarding that. That issue is still before the budget Conference Committee, and you'll learn as soon as tomorrow about that."

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "To clarify some concern which is not all that explicit here, if a district runs a special levy to keep up with the cost of living and passes it perhaps two or three years in a row and then fails it, do you feel the state then has an obligation to continue that district at the salary level where it was before the levy failed?"

Mr. Thompson: "We're not going to provide that kind of assurance to those districts. I guess I have to admit, Representative Douthwaite, that we haven't designed anything here that's going to last for all time, but I believe it puts us in good position and good direction."

Representatives Leckenby and Dunlap spoke against the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thompson to Engrossed Substitute Senate Bill No. 2700, and the amendment was adopted by the following vote: Yeas, 52; nays, 29; not voting, 17.

Voting yea: Representatives Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Conner, Douthwaite, Ehlers, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Grier, Grimm, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Martinis, Maxie, McCormick, Nelson D., Nelson G. A., Newhouse, Patterson, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Clayton, Clemente, Craswell, Dunlap, Fancher, Flanagan, Fuller, Hansen, Heck, Hurley M., Kreidler, Leckenby, Lee, May, McKibbin, North, Oliver, Owen, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Struthers, Tally, Zimmerman.

Not voting: Representatives Adams, Barr, Bauer, Bond, Deccio, Enbody, Eng, Gilleland, Gruger, Haley, Lux, Lysen, Moreau, O'Brien, Pardini, Paris, Whiteside.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2700 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2700 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 24; not voting, 16.

Voting yea: Representatives Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Conner, Craswell, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Lee, Martinis, Maxie, McCormick, Nelson D., Nelson G. A., Newhouse, North, Patterson, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Struthers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Clayton, Clemente, Dunlap, Flanagan, Hansen, Heck, Hurley M., Kreidler, Leckenby, May, McKibbin, Oliver, Owen, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Tally, Zimmerman.

Not voting: Representatives Adams, Barr, Bauer, Bond, Deccio, Eng, Gilleland, Gruger, Haley, Lux, Lysen, Moreau, O'Brien, Pardini, Paris, Whiteside.

Engrossed Substitute Senate Bill No. 2700 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. King, Engrossed Substitute Senate Bill No. 2700 as amended by the House was ordered transmitted immediately to the Senate.

**SUBSTITUTE SENATE BILL NO. 2186**, by Committee on Energy and Utilities (Originally sponsored by Senators Guess and Washington):

Exempting solar heating and energy saving improvements from the sales and use tax.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For committee amendments, see morning session.)

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, at this point I would like to raise the same point of order that I raised this morning and that is that the amendments are in three ways out of order. First they are beyond the scope of the original bill; two, they do not comply with the concurrent resolution closing off the session in that the amendments do not address either energy or revenue, which they might pretend to do; and three, the contents of the bill include House Bill No. 623 which is pending before the body."

## SPEAKER'S RULING

The Speaker: "With regard to the contents of House Bill No. 623, this bill is different. Therefore that point is not well taken. Under the concurrent resolution which exempts energy and revenue matters, this bill can be considered under either category, so that point is not well taken. The bill is within the scope and object."

Ms. Sommers moved adoption of the committee amendment.

Mr. Knedlik moved adoption of the following amendment to the committee amendment: Beginning on page 1, line 6 of the committee amendment strike all of section 1 and renumber the remaining sections consecutively.

Mr. Knedlik spoke in favor of the amendment to the committee amendment, and Representatives Nelson (Gary) and Zimmerman spoke against it.

The amendment to the committee amendment was not adopted.

The committee amendment was adopted.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2186 as amended by the House be placed on final passage.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 2186 to final passage, and the motion failed to receive a two-thirds majority by the following vote: Yeas, 53; nays, 28; not voting, 17.

Voting yea: Representatives Becker, Bender, Boldt, Burns, Chandler, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Erak, Erickson, Fischer, Fortson, Gaines, Grier, Grimm, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Martinis, Maxie, McCormick, McKibbin, Nelson D., North, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Clayton, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gallagher, Greengo, Leckenby, Lee, May, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitt, Shinoda, Struthers, Taller, Tilly, Wilson, Winsley.

Not voting: Representatives Adams, Barr, Bauer, Bond, Deccio, Enbody, Eng, Gilleland, Gruger, Haley, Lux, Lysen, Moreau, O'Brien, Pardini, Paris, Whiteside.

## MOTION

On motion of Mr. King, the House adjourned until 1:30 p.m., Sunday, June 19, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## ONE HUNDRED FIRST DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, June 19, 1977.

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Haley, Moreau and Nelson (Gary), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tracy Stevens and Jeff Ehlers. Prayer was offered by Reverend George 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.

## MESSAGE FROM THE SENATE

June 18, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 1284, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 18, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 1284, allowing transactions respecting University of Washington metropolitan tract to encompass time sequence of 60 years from December 31, 1980, have had the same under consideration, and we request the powers of Free Conference in order to amend the bill.

Signed by Senators Mardesich, Van Hollebeke; Representatives Erickson, Sommers, Newhouse.

## MOTION

On motion of Mr. Newhouse, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. King, the House advanced to the sixth order of business.

## SECOND READING

On motion of Mr. King, the Committee on Rules was relieved of House Bill No. 1086, and it was placed at the top of the second reading calendar.

HOUSE BILL NO. 1086, by Representative Thompson:

Relating to revenue and taxation.

The bill was read the second time.

Mr. Thompson moved adoption of the following amendment:

On page 1, strike everything after the enacting clause and insert the following:

\*Section 1. Section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1977 and RCW 84.52.052 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district except school districts in which a larger levy is necessary in

order to prevent the impairment of the obligation of contracts. Any county, (~~school district;~~) metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and RCW 84.52.043, or RCW 84.55.010 through 84.55.050, when authorized so to do by the electors of such county, (~~school district;~~) metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer districts, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended, at a special or general election to be held in the year in which the levy is made (~~or, in the case of a proposition authorizing levies for support of a school district for a two year period, at a special or general election to be held in the year in which the first annual levy is made. PROVIDED, That once additional tax levies have been authorized for the support of a school district for a two year period, no further additional tax levies for the support of the district for that period may be authorized except for expenditures attributable to an unanticipated increase in student enrollment and for the acquisition of motor vehicles for student transportation~~).

A special election may be called and the time therefor fixed by the board of county commissioners or other county legislative authority, (~~board of school directors;~~) or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation district in class AA counties and counties of the second, eighth and ninth class, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city or town, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'.

Sec. 2. Section 84.52.054, chapter 15, Laws of 1961 as last amended by section 2, chapter 4, Laws of 1977 and RCW 84.52.054 are each amended to read as follows:

The additional tax provided for in subparagraph (a) of the seventeenth amendment to the state Constitution as amended by Amendment 59 and as thereafter amended, and specifically authorized by RCW 84.52.052, as now or hereafter amended, and sections 3 and 4 of this amendatory act, shall be set forth in terms of dollars on the ballot of the proposition to be submitted to the voters, together with an estimate of the dollar rate of tax levy that will be required to produce the dollar amount; and the county assessor, in spreading this tax upon the rolls, shall determine the eventual dollar rate required to produce the amount of dollars so voted upon, regardless of the estimate of dollar rate of tax levy carried in said proposition. In the case of a school district proposition for a two year period, the dollar amount and the corresponding estimate of the dollar rate of the tax levy shall be set forth for each of the two years. The dollar amount for each of the two annual levies may be equal or in different amounts.

**NEW SECTION.** Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 84.52 RCW a new section to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by school districts, when authorized so to do by the electors of such school district in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended, at a special or general election to be held in the year in which the levy is made or, in the case of a proposition authorizing levies for support of a school district for a two year period, at a special or general election to be held in the year in which the first annual levy is made: **PROVIDED,** That once additional tax levies have been authorized for the support of a school district for a two year period, no further additional tax levies for the support of the district for that period may be authorized.

A special election may be called and the time therefor fixed by the board of school directors, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'.

**NEW SECTION.** Sec. 4. There is added to chapter 15, Laws of 1961, and to chapter 84.52 RCW a new section to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of section 3 of this amendatory act shall be as follows:

(1) For excess levies in 1977 for collection in 1978:

To the extent that any district receives funds through the state apportionment formula in excess of the amount anticipated by such a district when it established its excess levy for collection in 1978 and when such excess can be utilized to relieve special levy burdens, then such a district should place a first priority on reducing its special levy.

(2) For excess levies in 1977 for collection in 1979; for excess levies in 1978 for collection in 1979 and thereafter, the sum of:

(a) That amount equal to ten percent of each school district's prior year basic education allocation converted to one hundred percent of formula; plus

(b) That amount equal to each school district's prior year basic education allocation converted to one hundred percent of formula minus each school district's basic education allocation for such school year.

(3) Excess levies authorized under this 1977 amendatory act or under RCW 84.52.052 shall not be used to increase the average compensation for certificated or classified personnel in any school district: PROVIDED, That those school districts which receive state funds budgeted for a four percent increase in average compensation for certificated or classified personnel respectively shall be allowed to increase such certificated or classified compensation by an amount equal to the percentage increase in the prior year's United States Consumer Price Index minus the state funded four percent, or by an additional two percent, whichever is less: PROVIDED FURTHER, That any school district whose average compensation for certificated or classified personnel respectively is below statewide average compensation level for certificated or classified personnel during the preceding school year, may collect and expend property taxes authorized by this 1977 amendatory act, or under RCW 84.52.052, for the purpose of increasing such district average compensation for certificated or classified personnel up to but not to exceed the statewide average compensation for certificated or classified personnel for the preceding school year: PROVIDED FURTHER, that those contracts which have been negotiated prior to the effective date of this 1977 amendatory act by those school districts for such school year shall not be abrogated by this 1977 amendatory act.

(4) For the purpose of this section, the basic education allocation shall be determined pursuant to RCW 28A.41.130, RCW 28A.41.140, and RCW 28A.41.145, as now or hereafter amended.

'Compensation' for the purposes of this 1977 amendatory act shall mean one hundred and seven percent of each school district's respective average salary for certificated personnel, and one hundred and fourteen percent of each school district's respective average salary for classified personnel.

Certificated personnel shall include those persons employed by a school district in a teaching, instructional, administrative or supervisory capacity and who hold positions as certificated personnel as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent. Classified personnel shall include those persons employed by a school district other than certificated personnel as defined in this section in a capacity for which certification is not required.

For the purpose of subsection (2) of this section, the superintendent of public instruction may grant local school districts authority to exceed the levy limitations imposed by said subsection: PROVIDED, That said limitations can only be exceeded by an amount that will insure local school districts the ability to raise a total excess levy dollar amount per annual average full time equivalent student which when combined with the basic education allocation is equal to but does not exceed one hundred four percent of the previous school year's comparable dollars per annual average full time equivalent student.

The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this act.

**NEW SECTION, Sec. 5.** If any provision of this 1977 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.

**NEW SECTION, Sec. 6.** This 1977 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 July 1, 1977."

Mr. Thompson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Thompson, my question deals with section 4, subsection (2), and in particular it has the appearance of having a ten percent lid on special levies, but also, in reading what is in section 5, it appears to me that there is language that allows the Superintendent of Public Instruction to allow districts to go outside the ten percent. My question is, does this amendment as you have prepared it, really limit to ten percent, or is it ten percent plus something the Superintendent of Public Instruction can allow?"

Mr. Thompson: "You're reading it correctly, Representative Shinpoch, and I would like to elaborate on that for the record. The effect of this relationship in the language would permit certain districts to maintain present programs at an acceleration of four percent if they are peculiarly affected by the impact of the budget allocation. This extra allowance, however, does not extend to salary improvement."

Mr. Shinpoch: "I accept your word that it doesn't. However, I can't find that language in here anywhere. I can't really read that out. It appears to me that you can go one hundred four percent of the previous year and that if the state provided ninety percent you could have fourteen percent of the year plus the additional ten percent you talk in the front. Maybe I'm not reading it correctly, but I really don't see where that applies to salaries or doesn't apply to salaries."

Mr. Thompson: "That's the value of such a colloquy as we're having, Representative Shinpoch, to establish legislative intent."

The amendment was adopted.

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

On page 1, line 1 of the title after "taxation" insert "; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1977 and RCW 84.52.052; amending section 84.52.054, chapter 15, Laws of 1961 as last amended by section 2, chapter 4, Laws of 1977 and RCW 84.52.054; adding new sections to chapter 15, Laws of 1961 and to chapter 84.52 RCW; prescribing an effective date; and declaring an emergency."

House Bill No. 1086 was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1086 was placed on final passage.

Mr. Berentson spoke in favor of passage of the bill, and Representatives Pardini, Shinpoch and Dunlap spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1086, and the bill passed the House by the following vote: Yeas, 64; nays, 26; not voting, 8.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, McCormick, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Blair, Dunlap, Eng, Flanagan, Gilleland, Greengo, Hansen, Heck, Hurley M., Leckenby, May, McKibbin, Oliver, Pardini, Polk, Sanders, Schmitt, Shinoda, Shinpoch, Struthers, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Adams, Bond, Clemente, Erak, Haley, Lux, Moreau, Nelson G. A.

Engrossed House Bill No. 1086, 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

Please show my vote as "yea" on Engrossed House Bill No. 1086. I was unfortunately called from the floor during the vote, and failed to cast my vote.

JOHN ERAK, 19th District.

### STATEMENT FOR THE JOURNAL

The complex issue of limiting special levies did not come to focus until late on June 18. I opposed SSB 2700 and HB 1086, two of the three proposals brought before the House, for these reasons:

1. Philosophically, I oppose limiting levies because that should be a local decision. If the state funds basic education, local districts should be able to add enrichment to their educational programs.

2. This proposal limits the best, top-paying districts which have most consistently supported their special levies.

3. The proposal pays more adequately those low-paying districts that have least frequently supported special levies.

4. The proposal is estimated to cost from \$2 to \$3 billion in the next 20 years. (This is more than twice the saving on pensions for 20 years.)

5. We did not have adequate time to see the exact effect of the proposal on our individual school districts.

HAL ZIMMERMAN, 17th District.

### MOTION

On motion of Mr. Thompson, Engrossed House Bill No. 1086 was ordered transmitted immediately to the Senate.

### MESSAGES FROM THE SENATE

June 19, 1977

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 388,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 18, 1977

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 251,  
HOUSE BILL NO. 1133,  
THIRD SUBSTITUTE HOUSE BILL NO. 1188,  
SENATE BILL NO. 2419,  
SUBSTITUTE SENATE BILL NO. 2558,  
SENATE BILL NO. 2825,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 19, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3054, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 312,  
SUBSTITUTE HOUSE BILL NO. 1348,  
SENATE BILL NO. 2419,  
SUBSTITUTE SENATE BILL NO. 2558,  
SENATE BILL NO. 2825.

#### INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following interim committee appointments:

Advisory Council on International Trade Fairs: Representatives Bagnariol, Berentson.

Columbia Interstate Compact: Representatives Heck, Schmitten.

Crime (Organized) Intelligence Advisory Board: Representatives Deccio, Ehlers, Hanna,

Tilly.

Education Commission of the States: Representative Erickson.

Gambling Commission: Representatives Gaines, Struthers.

Joint Committee on Energy and Utilities: Representatives Bond, Dunlap, Kilbury, Lysen.

Joint Committee on Washington British Columbia Cooperative: Representatives

Berentson, Fancher, Lysen, Moreau, Vrooman.

Judicial Council: Representatives Enbody, Knowles, Newhouse.

Legislative Budget Committee: Representatives Amen, Blair, Flanagan, McKibbin, Polk, Shinpoch, Thompson, Warnke.

Legislative Ethics Committee: Representatives Fuller, May, Paris, Pruitt.

Legislative Evaluation and Accountability Program Committee (LEAP): Representatives Bagnariol, Nelson, Taller, Thompson.

Legislative Transportation Committee: Representatives Charnley, Clayton, Conner,

Gallagher, Gilleland, Hansen, Martinis, McCormick, Patterson, Sherman, Walk, Wilson.

Municipal Research Council: Representatives Chandler, Leckenby, North, Owen.

Oceanographic Commission: Representatives Becker, Craswell, Fortson.

State Insurance Board: Representative Douthwaite.

Statute Law Committee: Representatives Knedlik, Knowles, Whiteside.

Washington State Arts Commission: Representative Shinpoch.

Washington State Women's Council: Representatives Gruger, Lee.



## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 388.

SENATE AMENDMENTS TO HOUSE BILL

June 19, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 3 with the following amendments:

On page 2, beginning on line 13 strike all of subsection (7) and insert the following:

"(7) 'Impacted area' for a thermal electric generating facility on a federal reservation means that area in the state lying within thirty-five statute miles of the most commonly used entrance of the federal reservation and which is south of the southern boundary of township fifteen north."

On page 5, beginning on line 20 strike all of subsections (a) and (b) and insert the following:

(a) Two percent to the state general fund for administrative costs; and  
 (b) Thirty-seven percent to the state general fund for the support of schools; and  
 (c) Twenty-seven percent to the counties, twenty-seven percent to the cities, four percent to the fire protection districts, and three percent to the library districts."

On page 5, line 30 after "the" and before "area" strike "impact" and insert "impacted"

On page 5, line 33 after "the" strike the rest of the sentence and insert "remaining local districts." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

On motion of Ms. Sommers, the House concurred in the Senate amendments to page 2, line 13; page 5, line 30 and page 5, line 33.

On motion of Ms. Sommers, the House refused to concur in the Senate amendment to page 5, beginning on line 20, and asked the Senate to recede therefrom.

## MESSAGE FROM THE SENATE

June 19, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 446, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 15, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 446, changing the requirements for real estate licenses, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Van Hollebeke, Morrison, Bottiger: Representatives Greengo, Eng.

## MOTION

On motion of Mr. Warnke, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 19, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE CONCURRENT RESOLUTION NO. 32, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE CONCURRENT RESOLUTION NO. 32, adopting joint rules for the Forty-fifth Legislature, have had the

same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the resolution.

Signed by Senators Walgren, Clarke, Marsh; Representatives King, Berentson.

#### MOTION

On motion of Mr. King, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 19, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 1284, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 18, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 1284, allowing transactions respecting University of Washington metropolitan tract to encompass time sequence of 60 years from December 31, 1980, have had the same under consideration, and we recommend that the Senate amendment be not adopted and the bill be amended as follows:

On page 1, line 30 after "legislature" insert ": PROVIDED FURTHER, That any and all records, books, accounts and/or agreements of any lessee or sublessee under this section, pertaining to compliance with the terms and conditions of such lease or sublease, shall be open to inspection by the board of regents and/or the ways and means committee of the senate or the appropriations committee of the house of representatives or any successor committee of either. It is not intended by this proviso that unrelated records, books, accounts and/or agreements of lessees, sublessees or related companies be open to such inspection"

Signed by Senators Mardesich, Van Hollebeke; Representatives Erickson, Sommers, Newhouse.

#### MOTION

On motion of Ms. Sommers, the rules were suspended, and the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of House Bill No. 1284 as amended by the Free Conference Committee.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1284 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitten, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Adams, Blair, Gilleland, Haley, Lux, Moreau, Nelson G. A., Tilly.

House Bill No. 1284 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.

## SENATE AMENDMENTS TO HOUSE BILL

June 19, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 912 with the following amendments:

On page 5, line 28 after "exceeds" strike "thirty-five" and insert "fifty"

On page 6, line 13 after "make out" insert "his or her"

On page 6, line 32 strike "An" and insert "Unless permitted by official action of the governing body of a governmental entity or special district, an"  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Thompson moved that the House concur in the Senate amendments to Substitute House Bill No. 912.

Representatives Thompson and Lee spoke in favor of the motion, and it 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 Substitute House Bill No. 912 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 912 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Schmitt, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Tally, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Haley, Lux, McKibbin, Moreau, Nelson G. A.

Substitute House Bill No. 912 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

On motion of Mr. King, the House advanced to the seventh order of business.

## THIRD READING

On motion of Mr. King, the Rules Committee was relieved of Substitute Senate Bill No. 2186 as amended by the House, and it was placed at the top of the third reading calendar.

SUBSTITUTE SENATE BILL NO. 2186, as amended by the House, by Committee on Energy and Utilities (Originally sponsored by Senators Guess and Washington):

Exempting solar heating and energy saving improvements from the sales and use tax.

The bill was read the third time and placed on final passage.

Representatives Bauer and Sommers spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2186 as amended by the House, and the bill passed the House by the following vote: Yeas, 56; nays, 36; not voting, 6.

Voting yea: Representatives Bauer, Becker, Bender, Burns, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Fortson, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G.S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, McCormick, McKibbin, Nelson D., North, O'Brien, Paris, Pruitt, Salatino, Sanders, Schmitt,

Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Walk, Warnke, Williams, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Charette, Clayton, Craswell, Deccio, Dunlap, Erak, Fancher, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Leckenby, May, Newhouse, Oliver, Owen, Pardini, Patterson, Pearsall, Polk, Shinoda, Struthers, Taller, Tilly, Vrooman, Whiteside, Wilson.

Not voting: Representatives Adams, Boldt, Haley, Lux, Moreau, Nelson G.A.

Substitute Senate Bill No. 2186 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 Ms. Becker, Substitute Senate Bill No. 2186 as amended by the House was ordered transmitted immediately to the Senate.

On motion of Mr. Lysen, the House adjourned until 10:00 a.m., Monday, June 20, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## ONE HUNDRED SECOND DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Monday, June 20, 1977.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Haley, Lux, Nelson (Gary) and Schmitt, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sonya Thaller and John Houck. Prayer was offered by Reverend George 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.

### MESSAGES FROM THE SENATE

June 19, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1086,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 19, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 312,  
SECOND SUBSTITUTE HOUSE BILL NO. 388,  
SUBSTITUTE HOUSE BILL NO. 1348,  
SUBSTITUTE SENATE BILL NO. 3054,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1284,  
SUBSTITUTE SENATE BILL NO. 3054.

### MESSAGE FROM THE SENATE

June 19, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 446, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### REPORT OF FREE CONFERENCE COMMITTEE

June 15, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 446, changing the requirements for real estate licenses, have had the same under consideration, and we recommend the following:

That the Senate amendments to page 9, line 14 and page 9, line 15 be adopted;

That the Senate amendment to page 9, line 22 be not adopted, and the following amendment be substituted:

On page 9, line 22 after "RCW 18.85.010" insert "; nor, (5) any owner of rental or lease property, members of the owner's family whether or not residing on such property, or a resident manager of a complex of residential dwelling units wherein such manager resides; nor, (6) any person who manages residential dwelling units on an incidental basis and not as his principal source of income so long as that person does not advertise or hold himself out to the public by any oral or printed solicitation or representation that he is so engaged."

On page 9, following section 9 add a new section as follows:

"NEW SECTION. Sec. 10. The department of motor vehicles shall undertake a study of chapter 18.85 RCW and submit recommendations to the legislature at its first meeting after January 1, 1978, for revisions to the statutes regulating the real estate industry. The examination shall determine the most appropriate means of regulating commercial and residential property managers, sales personnel, developers and other appropriate phases of the industry. The department shall coordinate its review with any interim study efforts by the senate and house commerce committees."

Signed by Senators Van Hollebeke, Morrison, Bottiger; Representatives Greengo, Eng.

#### MOTION

On motion of Mr. Greengo, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 446 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 446 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 73; nays, 3; not voting, 22.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Chandler, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, O'Brien, Oliver, Pardini, Paris, Polk, Pruitt, Sanders, Sherman, Smith, Sommers, Struthers, Taller, Tilly, Valle, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Greengo, Lysen, Williams.

Not voting: Representatives Adams, Blair, Charette, Charnley, Dunlap, Eng, Gaines, Haley, Kreidler, Lux, Maxie, Nelson G. A., North, Owen, Patterson, Pearsall, Salatino, Schmitt, Shinoda, Shinpoch, Thompson, Vrooman.

Engrossed Substitute House Bill No. 446 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.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. King, the House advanced to the sixth order of business.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2441, by Senators Donohue, Keefe and Gaspard:

Providing for disbursement of certain funds to counties to upgrade certain horse race courses.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2441 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2441, and the bill passed the House by the following vote: Yeas, 66; nays, 5; not voting, 27.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Burns, Clayton, Conner, Deccio, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gallagher, Gilleland,

Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, O'Brien, Oliver, Owen, Patterson, Sherman, Shinoda, Smith, Sommers, Struthers, Taller, Tilly, Valle, Vrooman, Walk, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Paris, Pruitt, Sanders.

Not voting: Representatives Adams, Blair, Chandler, Charette, Charnley, Clemente, Craswell, Dunlap, Fancher, Flanagan, Fuller, Gaines, Haley, Leckenby, Lux, McKibbin, Nelson G. A., North, Pardini, Pearsall, Polk, Salatino, Schmitt, Shinpoch, Thompson, Warnke, Winsley.

Engrossed Senate Bill No. 2441, 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. 980, by Representative Conner:

Relating to marine transportation.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 980 was substituted for House Bill No. 980, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 980 was read the second time.

Mr. Conner moved adoption of the following amendment by Representatives Conner and Patterson:

On page 1, line 15 after "therefor." insert "In the event the state of Washington is able to obtain matching funds from the urban mass transportation administration or other federal government agencies for the acquisition of four high-speed passenger-only vessels capable of operating as an integral part of the Washington state ferries on Puget Sound and the Straits of Juan de Fuca, a sufficient amount of the proceeds of said bonds authorized herein shall be utilized to pay the state's share of the acquisition cost of such high-speed passenger-only vessels. The high-speed passenger-only vessels shall be of existing design currently manufactured in the United States, shall have a normal cruising speed in excess of 40 knots, and shall have a passenger capacity of 250 to 350 passengers."

Mr. Conner spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Nelson (Dick).

Mr. Nelson (Dick): "The last sentence of the amendment indicates that the vessels that will be purchased shall be manufactured in the U.S., and they shall be high-speed, passenger-only vessels. Would that allow the purchase of air cushion vessels?"

Mr. Conner: "With that manufacturing in the United States, we just passed negotiating bid legislation earlier which granted, for instance, with state contractors who would be building vessels, a six percent differential along with not having to pay the sales tax on this particular package. If you feel that last sentence is not necessary, it could be deleted. It was felt that we should attempt to buy American if we can. There has been legislation before this body and some that has been accepted, that says that's the feeling of this Legislature."

Mr. Nelson (Dick): "Representative Conner, are there currently air cushion vessels manufactured in the U.S. that would meet these requirements?"

Mr. Conner: "I'm not sure."

Mr. Nelson (Dick) spoke against the amendment.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Sommers to the amendment:

Strike the last sentence of the Conner/Patterson amendment.

Representatives Becker, Patterson, Nelson (Dick), Burns and Sommers spoke in favor of the amendment to the amendment, and Representatives Gilleland, Deccio, Conner and Lee spoke against it.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Pruitt.

Mr. Pruitt: "Representative Conner, if the amendment to the amendment does pass and we eliminate this last sentence, in your mind does that mean that there is no American product that can be conceived to really compete with foreign products?"

Mr. Conner: "No, I think we have the technology and the know-how and the capability to surpass engineering of any other country."

Representatives Pruitt, Knedlik and Lysen spoke in favor of the amendment to the amendment.

Mr. Boldt demanded the previous question and the demand was sustained.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (Dick): "Mr. Speaker, under the rules of the 45th Legislature, specifically Rule No. 1, would any member of the House who is an employee of a business that is engaged in the manufacture or development of vessels that transport passengers that might bid on contracts for ferry vessels under this bill, be allowed to vote on this amendment? Or if the amendment does not pass, on the full amendment?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "In reply to your point of parliamentary inquiry as to conflict of interest, the Speaker rules there is no conflict of interest because the individuals involved will not have a direct monetary gain or suffer a direct monetary loss by reason of adoption or nonadoption of these amendments. The Speaker is going to rule conflict of interest would not exist for any person that might be employed by a company that might benefit by adoption of this amendment."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Becker and Sommers to the Conner/Patterson amendment to Substitute House Bill No. 980, and the amendment to the amendment was not adopted by the following vote: Yeas, 26; nays, 44; not voting, 28.

Voting yea: Representatives Amen, Becker, Bender, Burns, Craswell, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Gruger, Hawkins, Heck, Knedlik, Knowles, Kreidler, Maxie, May, Nelson D., Pruitt, Shinoda, Smith, Sommers, Valle, Whiteside, Williams.

Voting nay: Representatives Barr, Bauer, Berentson, Boldt, Bond, Clayton, Conner, Deccio, Erak, Fancher, Fischer, Fortson, Gallagher, Gilleland, Grimm, Hansen, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Leckenby, Lee, Lysen, Martinis, McCormick, Moreau, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Polk, Sherman, Struthers, Tilly, Vrooman, Walk, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Barnes, Blair, Chandler, Charette, Charnley, Clemente, Dunlap, Enbody, Fuller, Gaines, Greengo, Grier, Haley, Hanna, Lux, McKibbin, Nelson G. A., Newhouse, Pearsall, Salatino, Sanders, Schmitten, Shinpoch, Toller, Thompson, Warnke, Winsley.

The amendment by Representatives Conner and Patterson was adopted.

Substitute House Bill No. 980 was ordered engrossed.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 980 was placed on final passage.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

The Speaker (Mr. O'Brien presiding) called the House to order.

Mr. Bender 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 Adams, Blair, Deccio, Dunlap, Haley, Lux, Nelson (Gary), Pardini, Schmitten, Shinoda and Winsley.

On motion of Mr. Bender, the absent members were excused, and the House proceeded with business under the Call of the House.

On motion of Mr. Bender, Representatives McKibbin, Polk, Shinpoch and Warnke were excused from the Call of the House.

#### MOTION

On motion of Mr. Bender, further consideration of Engrossed Substitute House Bill No. 980 was deferred, and the bill was ordered to hold its place on the third reading calendar.



ENGROSSED SUBSTITUTE SENATE BILL NO. 2522, by Committee on Transportation (Originally sponsored by Senator Henry):

Relating to transportation taxation.

The bill was read the second time.

Mr. Hansen moved adoption of the following amendment:

On page 1, line 26 after "section," add a new subsection to read as follows:

"(4) The department of motor vehicles shall collect the tax imposed in subsection (1) and (2) of this section on all boats and ships in this state except those defined in 84.36.079 and 84.36.080 RCW, and shall be credited by the state treasurer to the Puget Sound capital construction account."

Renumber the remaining subsection consecutively.

Representatives Hansen and Douthwaite spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hansen to Engrossed Substitute Senate Bill No. 2522, and the amendment was adopted by the following vote: Yeas, 44; nays, 39; not voting, 15.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Douthwaite, Ehlers, Eng, Erickson, Fancher, Flanagan, Fuller, Gallagher, Grier, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, Leckenby, Lysen, Maxie, Newhouse, North, Paris, Patterson, Pruitt, Sherman, Struthers, Thompson, Tilly, Valle, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Becker, Bender, Berentson, Boldt, Bond, Conner, Craswell, Enbody, Erak, Fischer, Fortson, Gaines, Gilleland, Greengo, Grimm, Hughes, King, Knedlik, Knowles, Kreidler, Lee, Martinis, May, McCormick, Moreau, Nelson D., O'Brien, Oliver, Owen, Pearsall, Salatino, Sanders, Smith, Sommers, Taller, Vrooman, Walk, Wilson, and Mr. Speaker.

Not voting: Representatives Adams, Blair, Deccio, Dunlap, Haley, Lux, McKibbin, Nelson G. A., Pardini, Polk, Schmitt, Shinoda, Shipoch, Warnke, Winsley.

Representatives Blair and Deccio appeared at the bar of the House.

Mr. Hansen moved adoption of the following amendment:

On page 2, after line 14 add a new section to read as follows:

"NEW SECTION. Sec. 3. Section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090 are each repealed."

Renumber the remaining sections consecutively.

Representatives Hansen and Sommers spoke in favor of the amendment, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hansen adding a new section to Engrossed Substitute Senate Bill No. 2522, and the amendment was not adopted by the following vote: Yeas, 39; nays, 46; not voting, 13.

Voting yea: Representatives Barr, Bauer, Becker, Boldt, Chandler, Charnley, Clemente, Ehlers, Eng, Erickson, Flanagan, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, Lysen, May, Nelson D., North, Paris, Patterson, Pearsall, Pruitt, Sherman, Sommers, Struthers, Thompson, Tilly, Valle, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Burns, Charette, Clayton, Conner, Craswell, Deccio, Douthwaite, Enbody, Erak, Fancher, Fischer, Fortson, Fuller, Gaines, Gilleland, Greengo, Hurley G. S., King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Martinis, Maxie, McCormick, Moreau, Newhouse, O'Brien, Oliver, Owen, Salatino, Sanders, Smith, Taller, Vrooman, Walk, Whiteside, Wilson, and Mr. Speaker.

Not voting: Representatives Adams, Dunlap, Haley, Lux, McKibbin, Nelson G. A., Pardini, Polk, Schmitt, Shinoda, Shipoch, Warnke, Winsley.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2522 as amended by the House was placed on final passage.

Representatives Dunlap and Winsley appeared at the bar of the House.

Mr. Conner spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Boldt.

Mr. Boldt: "Representative Conner, one of the members commented that if this bill passes, it will be about a ten dollar tax on each one of their vehicles that never leaves the farm. That money, of course, would go to help on the bonding to construct these ferries. I read the bill and it didn't speak specifically to that problem. Is that true?"

Mr. Conner: "I'm told the average increase will be three dollars or three dollars and 10 cents."

Mr. Boldt: "Then the situation is true?"

Mr. Conner: "To that extent, yes."

Mr. Boldt: "What is the rationale for the decision that as we put transportation in this state through our existing procedure, for pulling the ferry systems out and having this special bonding go through this session? Who made the study or who determined that we would do this for ferries, and not, in fact, have an additional tax somewhere to help the State Patrol one year, or an additional tax and fund either the State Patrol or other types of transportation systems in a special way the next year? Can you help me with that?"

Mr. Conner: "As I stated earlier we've attempted for the past twenty-six years to do something with our cross-sound transportation. For many years we weren't able to get the Legislature to address it. We've had studies that have been conducted over the past four years attempting to look into our cross-sound transportation problem, and looking to see what could be done. It works out that this is a viable method and we can do something about the crisis that is facing us as far as our ferry system is concerned, and about an attempt to at least cut down as far as our traffic is concerned."

Representatives Kilbury, Charnley, Hansen, Douthwaite, Hurley (George) and Berentson spoke in favor of passage of the bill, and Representatives Amen, Struthers, Flanagan, Clayton, and Fancher spoke against it.

Mr. Conner spoke again in favor of the bill.

Mr. Shinpoch appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2522 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 37; not voting, 10.

Voting yea: Representatives Barnes, Bauer, Berentson, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, McCormick, Moreau, North, O'Brien, Owen, Pruitt, Salatino, Sherman, Shinpoch, Smith, Thompson, Valle, Vrooman, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Bender, Blair, Boldt, Bond, Charette, Clayton, Craswell, Deccio, Dunlap, Eng, Erak, Fancher, Flanagan, Fuller, Grier, Hurley M., King, Leckenby, Lee, May, Nelson D., Newhouse, Oliver, Paris, Patterson, Pearsall, Sanders, Sommers, Struthers, Taller, Tilly, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Adams, Haley, Lux, McKibbin, Nelson G. A., Pardini, Polk, Schmitten, Shinoda, Warnke.

Engrossed Substitute Senate Bill No. 2522 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. King, Engrossed Substitute Senate Bill No. 2522 as amended by the House was ordered transmitted immediately to the Senate.

## THIRD READING

## ENGROSSED SUBSTITUTE HOUSE BILL NO. 980:

The House resumed consideration of the bill on third reading.

Representatives Conner, Gilleland and Burns spoke in favor of passage of the bill, and Mr. Nelson (Dick) spoke against it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "Could you inform the body of how many affirmative votes are necessary for this measure to pass?"

The Speaker (Mr. O'Brien presiding): "It would require fifty-nine affirmative votes."

Mr. Charnley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 980, and the bill passed the House by the following vote: Yeas, 68; nays, 20; not voting, 10.

Voting yea: Representatives Barnes, Bauer, Bender, Berentson, Blair, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Enbody, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Martinis, Maxie, May, McCormick, Moreau, North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Becker, Boldt, Bond, Charette, Clayton, Craswell, Deccio, Eng, Fancher, Flanagan, Hurley M., Lysen, Nelson D., Newhouse, Oliver, Sanders, Whiteside, Williams.

Not voting: Representatives Adams, Halcy, Lux, McKibbin, Nelson G. A., Pardini, Polk, Schmitt, Shinoda, Warnke.

Engrossed Substitute House Bill No. 980, having received the constitutional sixty percent 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. Charnley, Engrossed Substitute House Bill No. 980 was ordered transmitted immediately to the Senate.

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

## SECOND READING

On motion of Mr. King, ENGROSSED SUBSTITUTE SENATE BILL NO. 2376 was rereferred to Committee on Rules.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2537, by Committee on Transportation (Originally sponsored by Senator Henry - by request of Governor Ray):

Permitting the department of motor vehicles to set fuel tax rates.

The bill was read the second time.

Committee on Transportation recommendation: Do pass as amended. (For amendments, see Journal, 77th Day ex. sess., May 26, 1977.)

Mr. Conner moved adoption of the committee amendment.

Mr. Charnley moved adoption of the following amendment to the committee amendment: On page 8, line 14 strike "eleven" and insert "ten"

Representatives Charnley and Conner spoke in favor of the amendment to the committee amendment, and Ms. Becker spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley to the committee amendment to Engrossed Substitute Senate Bill No. 2537, and the amendment was not adopted by the following vote: Yeas, 42; nays, 46; not voting, 10.

Voting yea: Representatives Blair, Bond, Charnley, Clemente, Conner, Craswell, Dunlap, Ehlers, Enbody, Erickson, Fancher, Flanagan, Fuller, Gallagher, Gilleland, Greengo, Grimm, Gruger, Hansen, Hughes, Hurley G. S., Hurley M., King, Leckenby, Lee, May, O'Brien, Owen, Paris, Patterson, Pruitt, Sanders, Sherman, Shinpoch, Smith, Sommers, Taller, Valle, Walk, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Chandler, Charette, Clayton, Deccio, Douthwaite, Eng, Erak, Fischer, Fortson, Gaines, Grier, Hanna, Hawkins, Heck, Keller, Kilbury, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, McCormick, Moreau, Nelson D., Newhouse, North, Oliver, Pearsall, Salatino, Struthers, Thompson, Tilly, Vrooman, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Haly, Lux, McKibbin, Nelson G. A., Pardini, Polk, Schmitt, Shinoda, Warnke.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker was signing:  
 SUBSTITUTE HOUSE BILL NO. 912,  
 HOUSE BILL NO. 1086.

Ms. Becker moved adoption of the following amendment to the committee amendment:

On page 24, line 3 strike all of section 24 and insert the following section:

"NEW SECTION. Sec. 24. This 1977 amendatory act shall become effective on November 1, 1977, except for section 9, which shall take effect on January 1, 1978."

Ms. Becker spoke in favor of the amendment to the committee amendment, and Representatives Struthers and Conner spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to page 24 of the committee amendment to Engrossed Substitute Senate Bill No. 2537, and the amendment was not adopted by the following vote: Yeas, 33; nays, 55; not voting, 10.

Voting yea: Representatives Amen, Barnes, Becker, Blair, Burns, Charette, Charney, Craswell, Douthwaite, Eng, Flanagan, Fortson, Greengo, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Knedlik, Kreidler, Lee, Lysen, Maxie, Nelson D., Pruitt, Salatino, Sanders, Shinpoch, Sommers, Valle, Williams, Winsley.

Voting nay: Representatives Barr, Bauer, Bender, Berentson, Boldt, Bond, Chandler, Clayton, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Hansen, Heck, Keller, Kilbury, King, Knowles, Leckenby, Martinis, May, McCormick, Moreau, Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Sherman, Smith, Struthers, Taler, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Haley, Lux, McKibbin, Nelson G. A., Pardini, Polk, Schmitt, Shinoda, Warnke.

Ms. Becker moved adoption of the following amendment to the committee amendment:

Beginning on page 1 strike everything after line 5 and insert the following:

"Section 1. Section 1, chapter 28, Laws of 1974 ex. sess. and RCW 82.36.020 are each amended to read as follows:

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director of (nime) ten cents for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: PROVIDED, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the ten cents excise tax collected on the net gallonage after the deduction provided for herein shall be distributed as follows:

(1) ((Six)) Seven and seven-eighths cents shall be distributed between the state, cities, counties, and Puget Sound ferry operations account in the motor vehicle fund under the provisions of RCW 46.68.090 and 46.68.100 as now or hereafter amended.

(2) Five-eighths of one cent shall be distributed to the state and expended pursuant to RCW 46.68.150.

(3) Five-eighths of one cent shall be paid into the motor vehicle fund and credited to the urban arterial trust account created by RCW 47.26.080.

(4) Three-eighths of one cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350.

(5) One-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050: PROVIDED, That the funds allocated to a city or town which are attributable to such one-half cent of the additional tax imposed by this 1961 amendatory act shall be used exclusively for the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963 in the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120. All such sums shall first be subject to proper deductions for refunds and costs of collection as provided in RCW 46.68.090: PROVIDED, That the first eleven million dollars of the net revenue increase hereby provided to the motor vehicle fund before distribution shall be made available to the Puget Sound ferry operations account for operating deficits incurred during the 1977-79 biennium.

Sec. 2. Section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100 are each amended to read as follows:

Every person other than a distributor who acquires any motor vehicle fuel within this state upon which payment of tax is required under the provisions of this chapter, or imports such motor vehicle fuel into this state and sells, distributes, or in any manner uses it in this state shall, if the tax has not been paid, apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay a tax of ~~((nine))~~ ten cents for each gallon thereof so sold, distributed, or used in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. The proceeds of the tax imposed by this section shall be distributed in the manner provided for the distribution of the motor vehicle fuel tax in RCW 82.36.020, as now or hereafter amended. However, a distributor licensed under the provisions of this chapter may deliver motor vehicle fuel to an importer in individual quantities of five hundred gallons or less and assume the liability for payment of the tax to this state. Under such conditions, the importer shall be exempt from the requirements of this section. For failure to comply with the terms of this chapter such person shall be subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distributors. Nothing herein shall be construed as classifying such persons as distributors.

Sec. 3. Section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030 are each amended to read as follows:

In consideration of the use of the public highways of this state, motor carriers who import motor vehicle fuel into the state of Washington in the fuel supply tank or tanks of commercial motor vehicles for use in propelling said vehicles on said highways shall be subject to a tax for such use of the highways as hereinafter provided. A tax at the rate of ~~((nine))~~ ten cents per gallon is hereby imposed upon every motor carrier measured and determined by the number of gallons of motor vehicle fuel so imported and actually used by such motor carrier in its operations within this state.

Sec. 4. Section 2, chapter 28, Laws of 1974 ex. sess. and RCW 82.37.190 are each amended to read as follows:

All moneys collected by the director shall be transmitted forthwith to the state treasurer, together with a statement showing whence the moneys were derived, and shall be by him credited to the motor vehicle fund.

The proceeds of the motor vehicle fuel importer use tax imposed by chapter 82.37 RCW shall be distributed in the manner provided for the distribution of the motor vehicle fuel tax in RCW 82.36.020, as ~~((amended in section 2 of chapter 124, Laws of 1973 first extraordinary session))~~ now or hereafter amended.

Sec. 5. Section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter 62, Laws of 1975 1st ex. sess. and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax of ~~((nine))~~ ten cents per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use (within the meaning of the word use as defined herein) of special fuel in any motor vehicle ~~((PROVIDED, That in order to encourage experimentation with nonpolluting fuels, no tax shall be imposed upon the use of natural gas as herein defined or on liquefied petroleum gas, commonly called propane, which is used in any motor vehicle until July 1, 1977))~~.

(2) Said tax shall be collected by the special fuel dealer and shall be paid over to the department as hereinafter provided: (a) With respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles or into storage facilities used for the fueling of motor vehicles at unbonded service stations in this state; or (b) in all other transactions where the purchaser indicates in writing to the special fuel dealer prior to or at the time of the delivery that the entire quantity of the special fuel covered by the delivery is for use by him for a taxable purpose as a fuel in a motor vehicle.

(3) Said tax shall be paid over to the department by the special fuel user as hereinafter provided: (a) With respect to special fuel upon which the tax has not previously been imposed which was acquired in any manner other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle in this state; or (b) in all transactions with a special fuel dealer in this state where a written statement has not been furnished to the special fuel dealer as set forth in subsection (2)(b) of this section.

It is expressly provided that delivery of special fuel may be made without collecting the tax otherwise imposed, when such deliveries are made by a bonded special fuel dealer to special fuel users who are authorized by the department as hereinafter provided, to purchase fuel without payment of tax to the bonded special fuel dealer."

Representatives Pardini and Polk appeared at the bar of the House.

Representatives Becker, Burns and Charnley spoke in favor of the amendment to the committee amendment, and Representatives Gallagher, Leckenby and Conner spoke against it.

#### POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Becker, looking at the numbers which you are distributing, two main arguments have been carried around here for the need of the variable tax. Your numbers, however, suggest maintenance and administration with a one cent a gallon increase that the same number of dollars would be generated for maintenance and administration under either proposal. Is that correct?"

Ms. Becker: "That is what the Department of Highways' own budgeting figures show. They have the same amount budgeted regardless of what happened."

Mr. Pardini: "In the area of new construction, your figures are representing \$89 million versus \$133 million under the variable, a difference of \$44 million. Would that \$89 million allow the start of I-90?"

Ms. Becker: "Representative Pardini, as I said in my original remarks, \$89 million would allow for the funding of category A and category B and, according to the Highway Department, they have somewhere between \$3 and 5 million budgeted for the next biennium for the beginning of state funding for I-90. I don't know whether they will get around to spending it because there are considerable legal questions as to whether or not they can begin. If it does then there is enough money in it to start it. I might point out that it's nothing compared to the bill the state is going to have to pay if it continues because it's now being predicted to be about a billion dollar project. That means \$100 million is going to come from the state before it's done."

Representatives Sommers, Douthwaite, Becker and Shinpoch spoke in favor of the amendment to the committee amendment, and Representatives Greengo and Deccio spoke against it.

Mr. King demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to the committee amendment to Engrossed Substitute Senate Bill No. 2537, and the amendment was not adopted by the following vote: Yeas, 29; nays, 61; not voting, 8.

Voting yea: Representatives Becker, Blair, Burns, Charette, Charnley, Craswell, Douthwaite, Eng, Flanagan, Fortson, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Kreidler, Lysen, Maxie, Nelson D., North, Pardini, Pruitt, Sanders, Shinpoch, Sommers, Valle, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Bond, Chandler, Clayton, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hansen, Heck, Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Lee, Martinis, May, McCormick, Moreau, Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Salatino, Sherman, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Haley, Lux, McKibbin, Nelson G. A., Schmitten, Shinoda, Warnke.

The committee amendment was adopted.

On motion of Mr. Conner, the committee amendment to the title was adopted.

#### MOTION

Ms. Becker moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2537 as amended by the House be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Substitute Senate Bill No. 2537 as amended by the House on final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 72; nays, 18; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Bender, Berentson, Boldt, Bond, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Heck, Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Martinis, May, McCormick, Moreau, Newhouse, North, O'Brien, Oliver, Owen, Pardini, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Blair, Burns, Douthwaite, Eng, Flanagan, Gruger, Hawkins, Hughes, Hurley G. S., Kreidler, Lee, Lysen, Maxie, Nelson D., Sommers, Valle, Williams.

Not voting: Representatives Adams, Haley, Lux, McKibbin, Nelson G. A., Schmitten, Shinoda, Warnke.

Mr. Shinoda appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2537 as amended by the House.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2537 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 33; not voting, 7.

Voting yea: Representatives Barnes, Barr, Bauer, Berentson, Boldt, Bond, Chandler, Clayton, Clemente, Conner, Deccio, Dunlap, Ehlers, Enbody, Erak, Erickson, Fancher, Fischer, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Heck, Keller, Kilbury, King, Knedlik, Knowles, Leckenby, Martinis, McCormick, Moreau, Newhouse, O'Brien, Oliver, Owen, Paris, Pearsall, Polk, Pruitt, Salatino, Shinoda, Smith, Struthers, Taller, Thompson, Tilly, Vrooman, Walk, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Bender, Blair, Burns, Charette, Charnley, Craswell, Douthwaite, Eng, Flanagan, Fortson, Gruger, Hawkins, Hughes, Hurley G. S., Hurley M., Kreidler, Lee, Lysen, Maxie, May, Nelson D., North, Pardini, Patterson, Sanders, Sherman, Shinpoch, Sommers, Valle, Williams, Winsley.

Not voting: Representatives Adams, Haley, Lux, McKibbin, Nelson G. A., Schmitt, Warnke.

Engrossed Substitute Senate Bill No. 2537 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. King, Engrossed Substitute Senate Bill No. 2537 as amended by the House was ordered transmitted immediately to the Senate.

On motion of Mr. Bender, the House dispensed with further business under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 8:30 p.m.

## EVENING SESSION

The Speaker called the House to order.

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

## CALL OF THE HOUSE

The Clerk called the roll and all members were present except Representatives Adams, Haley, Knedlik, Lux, Lysen, Nelson (Gary), Pardini, Schmitt and Shinoda.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

June 20, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 960, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 960, enacting "The Education Act of 1977," have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators McDermott, Mardesich, Gould; Representatives Clemente, Heck, Barnes.

## MOTION

On motion of Mr. Clemente, the House adopted the report of the Conference Committee, and the committee was granted the powers of Free Conference.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
SENATE BILL NO. 2441.

## MESSAGE FROM THE SENATE

June 20, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2522, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Conner moved that the House recede from its amendment to Engrossed Substitute Senate Bill No. 2522.

Representatives Conner, Martinis and Fortson spoke in favor of the motion, and Representatives Hansen, Newhouse, Flanagan and Clayton spoke against it.

Mr. Charette spoke in favor of the motion.

## POINT OF ORDER

Mr. Barr: "I don't see what planting wheat has to do with this and I object to the statement."

The Speaker: "Your point is not well taken. Continue, Representative Charette."

Mr. Charette continued his remarks in favor of the motion.

Mr. Deccio spoke against the motion, and Mr. Vrooman spoke in favor of it.

Mr. Bender demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendment to Engrossed Substitute Senate Bill No. 2522, and the motion was carried by the following vote: Yeas, 69; nays, 21; not voting, 8.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Chandler, Charette, Clemente, Conner, Craswell, Dunlap, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Hanna, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Boldt, Burns, Charnley, Clayton, Deccio, Douthwaite, Fancher, Flanagan, Greengo, Gruger, Hansen, Hurley G. S., Hurley M., Newhouse, Paris, Patterson, Shinpoch, Struthers, Tilly.

Not voting: Representatives Adams, Haley, Knedlik, Lux, Nelson G. A., Pardini, Schmittin, Shinoda.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 2522 without the House amendment.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2522 without the House amendment, and the bill passed the House by the following vote: Yeas, 53; nays, 37; not voting, 8.

Voting yea: Representatives Bauer, Bender, Berentson, Burns, Chandler, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Owen, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Taller, Thompson, Valle, Vrooman, Walk, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Becker, Blair, Boldt, Bond, Charette, Clayton, Craswell, Deccio, Dunlap, Eng, Erak, Fancher, Flanagan, Fuller, Greengo, Hansen, Hurley M., Leckenby, Lee, Lysen, Nelson D., Newhouse, Oliver, Paris, Patterson, Polk, Sanders, Struthers, Tilly, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Haley, Knedlik, Lux, Nelson G. A., Pardini, Schmittin, Shinoda.



Engrossed Substitute Senate Bill No. 2522 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.

MESSAGE FROM THE GOVERNOR

June 18, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 18, 1977, Governor Ray approved the following House bills entitled:

SUBSTITUTE HOUSE BILL NO. 371: Revising the juvenile justice and care system.

SUBSTITUTE HOUSE BILL NO. 865: Relating to the public employees' retirement system.

SUBSTITUTE HOUSE BILL NO. 866: Relating to the teachers' retirement system.

SUBSTITUTE HOUSE BILL NO. 867: Relating to the law enforcement officers' and fire fighters' retirement system.

Sincerely,  
Joe Zaspel, Legislative Assistant.

MESSAGE FROM THE SENATE

June 20, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 743,  
SUBSTITUTE HOUSE BILL NO. 912,  
HOUSE BILL NO. 1086,  
HOUSE BILL NO. 1284,  
SENATE BILL NO. 2441,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 20, 1977

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 980,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 20, 1977

Mr. Speaker:

The Senate has refused to recede from its amendment to page 5, beginning on line 20 to SUBSTITUTE HOUSE BILL NO. 3, and once again asks the House to concur, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

Ms. Sommers moved that the House insist on its position and again ask the Senate to recede therefrom.

Mr. Kilbury moved that the House do concur with the amendment to page 5, beginning on line 20.

Representatives Kilbury, Boldt and Oliver spoke in favor of the motion to concur, and Representatives Newhouse and Sommers spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House concur in the Senate amendment to page 5, line 20, of Substitute House Bill No. 3, and the motion was lost by the following vote: Yeas, 39; nays, 51; not voting, 8.

Voting yea: Representatives Barnes, Barr, Berentson, Boldt, Bond, Chandler, Clayton, Conner, Craswell, Deccio, Dunlap, Fancher, Fuller, Gaines, Gallagher, Gilleland, Grimm, Hansen, Hawkins, Hurley

M., Kilbury, Leckenby, Martinis, May, Moreau, Newhouse, O'Brien, Oliver, Owen, Paris, Patterson, Polk, Sanders, Struthers, Taller, Tilly, Walk, Whiteside, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Becker, Bender, Blair, Burns, Charette, Charnley, Clemente, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Greengo, Grier, Gruger, Hanna, Heck, Hughes, Hurley G. S., Keller, King, Knowles, Kreidler, Lee, Lysen, Maxie, McCormick, McKibbin, Nelson D., North, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Thompson, Valle, Vrooman, Warnke, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Haley, Knedlik, Lux, Nelson G. A., Pardini, Schmitt, Shinoda.

### MESSAGE FROM THE SENATE

June 20, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 960, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 960, enacting "The Education Act of 1977," have had the same under consideration, and we recommend that the Senate amendment not be adopted, that the substitute House bill be struck and the bill be amended to read as follows:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. This 1977 amendatory act shall be known and may be cited as 'The Washington Basic Education Act of 1977'. The program evolving from the Basic Education Act shall include (1) the goal of the school system as defined in section 2 of this 1977 amendatory act, (2) those program requirements enumerated in section 3 of this 1977 amendatory act, and (3) the determination and distribution of state resources as defined in sections 4 and 5 of this 1977 amendatory act.

The requirements of the Basic Education Act are deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution, which states that 'It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex', and are adopted pursuant to Article IX, section 2 of the state Constitution, which states that 'The legislature shall provide for a general and uniform system of public schools'.

**NEW SECTION.** Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The goal of the Basic Education Act for the schools of the state of Washington set forth in this 1977 amendatory act shall be to provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning. Those skills shall include the ability:

(1) To distinguish, interpret and make use of words, numbers and other symbols, including sound, colors, shapes and textures;

(2) To organize words and other symbols into acceptable verbal and nonverbal forms of expression, and numbers into their appropriate functions;

(3) To perform intellectual functions such as problem solving, decision making, goal setting, selecting, planning, predicting, experimenting, ordering and evaluating; and

(4) To use various muscles necessary for coordinating physical and mental functions.

**NEW SECTION.** Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) For the purposes of sections 3 through 5 of this 1977 amendatory act:

(a) The term 'total program hour offering' shall mean those hours when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes and recess and exclusive of intermission for meals.

(b) 'Instruction in work skills' shall include the instruction of industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education, and shall include career orientation.

(2) Satisfaction of the basic education goal identified in section 2 of this 1977 amendatory act shall be considered to be implemented by the following program requirements:

(a) Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours. The program shall include reading, arithmetic, language skills and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program;

(b) Each school district shall make available to students in grades one through three, at least a total program hour offering of two thousand seven hundred hours. A minimum of ninety-five percent of the total

program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include foreign languages, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(c) Each school district shall make available to students in grades four through six at least a total program hour offering of two thousand nine hundred seventy hours. A minimum of ninety percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of five percent of the total program hour offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include foreign languages, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(d) Each school district shall make available to students in grades seven through eight, at least a total program hour offering of one thousand nine hundred eighty hours. A minimum of eighty-five percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent of the total program hour offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include foreign language, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(e) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours. A minimum of sixty percent of the total program hour offerings shall be in the basic skills areas of language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent of the total program hour offerings shall be in the area of work skills. The remaining twenty percent of the total program hour offerings may include traffic safety, foreign language, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades, with not less than one-half thereof in basic skills and/or work skills.

Nothing contained in subsection (2) of this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

Each school district's basic educational program shall be accessible to all students between the ages of five and twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten. The state board of education pursuant to its authority in RCW 28A.04.120 and 28A.41.130, as now or hereafter amended, shall adopt the necessary rules and regulations to ensure program compliance with the provisions of this section.

Sec. 4. Section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130 are each amended to read as follows:

From those funds made available by the legislature for the current use of the common schools, the superintendent of public instruction shall distribute annually as provided in RCW 28A.48.010 to each school district of the state operating a program approved by the state board of education an amount which, when combined with the following revenues, excluding excess property tax levies, will constitute ((an equal guarantee in dollars for each weighted pupil enrolled)) a basic education allocation in dollars for each annual average full time equivalent student enrolled, based upon one full school year of one hundred eighty days, except that for kindergartens one full school year may be ninety days as provided by RCW 28A.58.180:

(1) The receipts from the one percent tax on real estate transactions ((which may be imposed)) pursuant to chapter 28A.45 RCW ((PROVIDED, That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent)); and

(2) One hundred percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090; and

(3) One hundred percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110; and

(4) One hundred percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

Basic education shall be considered to be fully funded by those amounts of dollars appropriated by the legislature pursuant to sections 4 and 5 of this 1977 amendatory act to fund those program requirements identified in section 3 of this 1977 amendatory act in accordance with the formula and ratios provided in section 5 of this 1977 amendatory act.

Operation of a program approved by the state board of education, for the purposes of this section, shall include a finding that the ratio of ((pupils)) students per classroom teacher((s)) in grades kindergarten through three is not greater than the ratio of ((pupils)) students per classroom teacher in grades four and above for such district: PROVIDED, That for the purposes of this section, 'classroom teacher' shall be defined as ((a certificated employee)) an instructional employee possessing at least a provisional certificate, but not necessarily employed as a certificated employee, whose primary duty is the daily educational instruction of pupils: PROVIDED FURTHER, That the state board of education shall adopt rules and regulations to insure compliance with the ((pupil)) student/teacher ratio provisions of this section, and such rules and regulations shall allow for exemptions for those special programs and/or school districts which may be deemed unable to practically meet the ((pupil)) student/teacher ratio requirements of this section

by virtue of a small number of ((pupils)) students: PROVIDED, FURTHER, That these rules and regulations shall provide that any district that has a ratio of no greater than twenty-five students per classroom teacher in grades kindergarten through three shall be in conformance with this section.

((Notwithstanding any other provision of this chapter, the state shall guarantee to school districts an amount of money from state and local funds, not less than ninety-five percent of the average amount per enrolled student, excluding special levies, which any such district realized from state and local funds during the preceding three school years:)) If a school district's basic education program fails to meet the basic education requirements enumerated in sections 3 through 5 of this 1977 amendatory act, the state board of education shall require the superintendent of public instruction to withhold state funds in whole or in part for the basic education allocation until program compliance is assured: PROVIDED, That for the school years 1978 through 1981 the state board of education may waive this requirement in the event of levy failure: PROVIDED FURTHER, That the state board of education may waive this requirement in the event of substantial lack of classroom space.

Sec. 5. Section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140 are each amended to read as follows:

((To determine a "weighted student enrolled," as that term is used in this chapter a schedule shall be established by the superintendent of public instruction which shall provide appropriate recognition of the following costs among the various types of students and districts of the state, with the equalization of educational opportunity being the primary objective:

(1) Costs attributable to staff experience and professional preparation; and

(2) Costs to state and local funds attributable to the operation of approved educational programs arising as a result of a concentration of culturally disadvantaged students, or as a result of a high degree of transient enrollment;

(3) Costs resulting from the operation of small school plants within districts: PROVIDED, That such plants are judged by the state board of education as remote and necessary;

(4) Costs differentials attributable to the operation of approved elementary and secondary programs;

(5) Costs which must be incurred to operate an approved vocational program;

(6) Costs resulting from the attendance of students who:

(a) Do not reside within the servicing school district: PROVIDED, That nothing within this provision shall be construed as affecting the reimbursement procedures in RCW 28A.44.040;

(b) Reside in any home or institution devoted to providing a home for dependent or otherwise referred or entrusted children: PROVIDED, Such home or institution is exempt from taxation under the laws of the state of Washington; or

(c) Constitute at least three percent of the student enrollment within the district and who reside within the servicing district on property of either the state, its political subdivisions, or any municipal corporation.

The weighting schedule when established shall be renewed biennially by the state superintendent and shall be subject to approval, rejection or amendment by the legislature. The schedule shall be submitted for approval as a part of the state superintendent's biennial state budget. In the event the legislature rejects the weighting schedule presented, without adopting a new schedule, the schedule established for the previous biennium shall remain in effect. The enrollment of any district, before weighting, shall be the average number of full time students and part time students as provided in RCW 28A.41.145 enrolled on the first school day of each month:))

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

(1) Certificated staff and their related costs;

(2) Classified staff and their related costs;

(3) Nonsalary costs; and

(4) Extraordinary costs of remote and necessary schools and small high schools.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous biennium shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in section 3 of this 1977 amendatory act. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: PROVIDED, That the definition shall be included as part of the superintendent's biennial budget request: PROVIDED, FURTHER, That any revision of the present definition shall not take effect until

approved by the house appropriations committee and the senate ways and means committee: PROVIDED, FURTHER, That the office of program planning and fiscal management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: PROVIDED, FURTHER, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute: PROVIDED, FURTHER, That the hiring of such noncertificated persons shall be subject to disapproval by the superintendent of public instruction. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances. Annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall be at least twenty-five hours per week. Classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Classified staff shall include those persons employed by a school district other than certificated staff as defined in this section in a capacity for which certification is not required.

Sec. 6. Section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 80, Laws of 1977 and RCW 28A.41.160 are each amended to read as follows:

Reimbursement for transportation costs shall be in addition to ~~((state assistance based upon weighted enrollment))~~ the basic education allocation. Transportation costs shall be reimbursed as follows:

(1) ~~((Operational reimbursement))~~ School districts shall be ~~((limited to ninety))~~ reimbursed up to one hundred percent of the ~~((service costs on routes))~~ operational costs for established bus routes for the transportation of students to and from common schools as recommended by the educational service district superintendent or his or her designee, and as approved by the state superintendent: PROVIDED, That commencing with the 1980-81 school year, reimbursement shall be at one hundred percent or as close thereto as reasonably possible; and

(2) Costs of acquisition of approved transportation equipment shall be ~~((limited))~~ reimbursed up to ~~((ninety))~~ one hundred percent of the cost to be reimbursed over the anticipated life of the vehicle, as determined by the state superintendent: PROVIDED, That commencing with the 1980-81 school year, reimbursement shall be at one hundred percent or as close thereto as reasonably possible: PROVIDED FURTHER, That reimbursements for the acquisition of approved transportation equipment received by school districts shall be held within the general fund exclusively for the future ~~((purpose))~~ purchase of approved transportation equipment and for major transportation equipment repairs consistent with rules and regulations authorized and promulgated under RCW 28A.41.170 and chapter 28A.65 RCW.

NEW SECTION, Sec. 7. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

In addition to those state funds provided to school districts for basic education, the legislature shall appropriate funds for pupil transportation, in accordance with RCW 28A.41.160, and for programs for handicapped students, in accordance with chapter 28A.13 RCW. The legislature may appropriate funds to be distributed to school districts for population factors such as urban costs, enrollment fluctuations and for special programs, including but not limited to, vocational-technical institutes, compensatory programs, bilingual education, urban, rural, racial and disadvantaged programs, programs for gifted students, and other special programs.

Sec. 8. Section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145 are each amended to read as follows:

(1) For purposes of this section, the following definitions shall apply:

(a) 'private school student' shall mean any student enrolled full time in a private or private sectarian school;

(b) 'school' shall mean any primary, secondary or vocational school;

(c) 'school funding authority' shall mean any nonfederal governmental authority which provides moneys to common schools;

(d) 'part time student' shall mean and include any student enrolled in a course of instruction in a private or private sectarian school and taking courses at and/or receiving ancillary services offered by any public school not available in such private or private sectarian school district and any student involved in any work training program and taking courses in any public school, which work training program is approved by the school board of the district in which such school is located.

(2) The board of directors of any school district is authorized and, in the same manner as for other public school students, shall permit the enrollment of and provide ancillary services for part time students, including (a) the part time enrollment of students involved in any work training program and desirous of taking courses within the district upon the school board's approval of any such work training program and (b) the part time enrollment of any private school student in any school within the district for the purpose of attending a class or classes or a course of instruction if the class, classes, or course of instruction for which the private school student requests enrollment, are unavailable to the student in the private school in which

the student is regularly enrolled: PROVIDED, That this section shall only apply to part time students who would be otherwise eligible for full time enrollment in the school district.

(3) The superintendent of public instruction shall recognize the costs to each school district occasioned by enrollment of and/or ancillary services provided for part time students authorized by subsection (2) and shall include such costs in the (~~'weighting schedule' established~~) distribution of funds to school districts pursuant to RCW 28A.41.140. Each school district shall be reimbursed for the costs or a portion thereof, occasioned by attendance of and/or ancillary services provided for part time students on a part time basis, by the superintendent of public instruction, according to law.

(4) Each school funding authority shall recognize the costs occasioned to each school district by enrollment of and ancillary services provided for part time students authorized by subsection (2), and shall include said costs in funding the activities of said school districts.

(5) The superintendent of public instruction is authorized to adopt rules and regulations to carry out the purposes of RCW 28A.41.140 and 28A.41.145.

Sec. 9. Section 2, chapter 92, Laws of 1974 ex. sess. as amended by section 71, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.02.201 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

(1) The minimum school year shall be the same as that required of public schools in RCW 28A.01.025 as now or hereafter amended.

(2) The length of the school day shall be the same as that required of public schools in RCW 28A.01.010 and section 3 of this 1977 amendatory act, each as now or hereafter amended, except that the percentages of total program hour offerings as prescribed in section 3 of this 1977 amendatory act for basic skills, work skills, and optional subjects and activities shall not apply to private schools or private sectarian schools.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(5) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements.

(6) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(7) In compliance with provisions of RCW 28A.31.010 as now or hereafter amended and rules or regulations of the state board of education, each private school teacher shall file with the educational service district in which the school is located a valid health certificate issued by the state department of social and health services.

(8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (6) above provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

Sec. 10. Section 28A.44.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.080 are each amended to read as follows:

The superintendent of every high school district shall certify under oath, as a part of an annual report to the educational service district board to be made on or before the fifteenth day of October as required by law, the following facts as nearly as the same can be ascertained:

(1) Name, post office address, county, and resident school district of each nonresident high school (~~(pupil)~~) student who is not a resident of another high school district and is enrolled in the high school, or high schools, of the district during the school year, with the enrollment date and departure date of each such nonresident (~~(pupil)~~) student.

(2) The cost per (~~(weighted pupil)~~) annual average full time equivalent student of educating high school (~~(pupils)~~) students for the school year in (~~(his)~~) the district. For ascertaining such cost the following items of

high school expenditure shall be used: Salaries of all high school teachers, supervisors, principals, special instructors, superintendent and assistants, janitors, clerks, and secretaries, stenographers, and all other employees; fuel, light, water, power, telephones, textbooks, office expenses, janitors' supplies, freight, express, drayage, rents for high school purposes, upkeep of grounds, upkeep of shops and laboratories, all materials used in instruction, insurance, current ordinary repairs of every nature, inspection, promotion of health, and such other current expenditures as may be necessary to efficient operation of the high school, or high schools. Expenditures for real estate, construction of buildings, and for other permanent improvements and fixtures shall not be included in estimating high school expenditures for the purposes of this section. When any item, as a necessary result of organization, covers both grade and high school work, it shall be prorated, as nearly as practicable, by the high school district superintendent.

Sec. 11. Section 2, chapter 124, Laws of 1972 ex. sess. as last amended by section 25, chapter 118, Laws of 1975-76 2nd ex. sess. and RCW 28A.44.085 are each amended to read as follows:

The educational service district board, after verifying such reports as provided in RCW 28A.44.080 as now or hereafter amended, shall certify, on or before the fifteenth day of November each year to the appropriate county commissioners, the amount of claims which any high school district in its educational service district may have under the provisions of RCW 28A.44.045 through 28A.44.100 as now or hereafter amended against any nonhigh district for the cost of educating nonresident high school ((pupils)) students of such district. In fixing the amount of any such claim by a high school district for educating nonresident high school ((pupils)) students from such nonhigh districts the educational service district board shall determine the net difference between the cost of educating high school ((pupils)) students in the given high school district per ((weighted pupil)) annual average full time equivalent student enrolled for the preceding year as determined pursuant to RCW 28A.44.080(2) and the total state ((guarantee, including the equal guarantee)) basic education allocation provided for in RCW 28A.41.130, per ((weighted pupil)) annual average full time equivalent student enrolled in such high school district for the preceding year, 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)) students educated in the high school district for such preceding year. Such amount, when certified as provided in this section, shall constitute a valid claim against the appropriate nonhigh district.

Sec. 12. Section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040 are each amended to read as follows:

The ((weighted student)) annual average full time equivalent student enrollment as computed under RCW 28A.41.140 ((accredited-to)) for each school district or part thereof within a county shall be the basis upon which the real estate sales tax proceeds as provided for in chapter 28A.45 RCW and apportionments from the county current school fund shall be made.

Sec. 13. Section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050 are each amended to read as follows:

The county commissioners or legislative authority of ((any)) each county ((are authorized by ordinance to)) shall levy an excise tax upon sales of real estate ((not exceeding)) of one percent of the selling price. ((The rate of the levy shall be determined annually by the commissioners.)) The proceeds of the tax provided for in this chapter shall be placed in the county school fund and shall be used exclusively for the support of the common schools: PROVIDED, That one percent of the proceeds of the tax provided for herein may be placed in the current expense fund of the county: PROVIDED, That each educational service district superintendent shall certify each month the distribution of the real estate excise tax from the county school fund, for each county whose seat of government is within the educational service district, to the general fund of each school district in the county: PROVIDED FURTHER, That when a local school district board of directors, by properly executed resolution, instructs that the distribution in whole or part be credited to the building fund and/or bond interest and redemption fund of the local school district, the educational service district superintendent shall certify the distribution in accordance with such resolution: AND PROVIDED FURTHER, That such certification of distribution to each school district in the county shall be in proportion (using the most recent data) to the number of ((weighted)) annual average full time equivalent students enrolled in each district to the number of ((weighted)) annual average full time equivalent students in the county.

Sec. 14. Section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190 are each amended to read as follows:

Except as otherwise provided by law, it is the general policy of the state that the common schools shall be open to the admission of all persons between the ages of ((six)) five and twenty-one years residing in that school district. Except as otherwise provided by law, the state board of education is hereby authorized to adopt rules in accordance with chapter 34.04 RCW which establish uniform entry qualifications, including but not limited to birth date requirements, for admission to kindergarten and first grade programs of the common schools. Such rules may provide for exceptions based upon the ability, or the need, or both, of an individual student.

Sec. 15. Section 36.33.110, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1967 and RCW 36.33.110 are each amended to read as follows:

The state treasurer shall turn over to the treasurers of the counties within United States forest reserves, the amount of money belonging to them, received from the federal government from such reserves, in accordance with Title 16, section 500, United States Code. Where the reserve is situated in more than one county the money shall be distributed in proportion to the area of the counties interested, and to that end the

state treasurer is authorized and required to obtain the necessary information to enable him to make the distribution on such basis.

County commissioners or the legislative authority of the respective counties to which the money is distributed are authorized and directed annually to distribute not less than fifty percent of said money to each school district within each such county according to the proportional number of (~~weighted~~) annual average full time equivalent students enrolled in each such school district during the immediate preceding school year as certified by the (county school superintendent of schools or the intermediate) educational service district superintendent ((of schools as the case may be: PROVIDED, That if any such school district would suffer a decrease in its total revenue as the result of receipt of said money, such district may refuse its proportional share and the county commissioners shall thereupon redistribute such proportional share to the remaining districts in the county)). The county commissioners or county legislature authority shall expend the balance of said money for the benefit of the public roads of such county, and not otherwise.

**NEW SECTION.** Sec. 16. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Rules and regulations adopted by the state board of education and superintendent of public instruction pursuant to the provisions of this 1977 amendatory act shall be subject to periodic review by the legislature.

Sec. 17. Section 1, chapter 105, Laws of 1973 1st ex. sess. as amended by section 21, chapter 288, Laws of 1975 1st ex. sess. and RCW 28A.01.130 are each amended to read as follows:

The term 'certificated employee' as used in RCW 28A.02.201, 28A.41.140, 28A.58.450 through 28A.58.515, 28A.58.445, 28A.67.065, 28A.67.070, 28A.67.074 and 28A.01.130 and chapter 41.59 RCW, each as now or hereafter amended, shall include those persons who hold certificates as authorized by rule or regulation of the state board of education or the superintendent of public instruction.

**NEW SECTION.** Sec. 18. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of Title 28A RCW, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program meet the individual and collective needs of the particular students enrolled therein.

(2) In conformance with the provisions of Title 28A RCW, as now or hereafter amended, it shall be the responsibility of each common school district board of directors, acting through its respective administrative staff, to:

(a) Establish performance criteria and an evaluation process for its certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum.

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs.

(c) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in section 3 of this 1977 amendatory act, or rules and regulations of the state board of education.

(d) Determine the allocation of staff time, whether certificated or classified.

(e) Establish final curriculum standards consistent with law and rules and regulations of the state board of education, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district.

(f) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, in public hearing upon complaint by parents, guardians or custodians of students who consider dissemination of such material to students objectionable.

(3) In keeping with the accountability purpose expressed in this section and to insure that the local community and electorate have access to information on the educational programs in the school districts, each school district's board of directors shall annually publish a descriptive guide to the district's common schools. This guide shall be made available at each school in the district for examination by the public. The guide shall include, but not be limited to, the following:

(a) Criteria used for written evaluations of staff members pursuant to RCW 28A.67.065.

(b) A summary of program objectives pursuant to RCW 28A.58.090.

(c) Results of comparable testing for all schools within the district.

(d) Budget information which will include the following:

(i) Student attendance.

(ii) Number of full time equivalent personnel per school in the district itemized according to classroom teachers, instructional support, building and central administration and support services, including itemization of such personnel by program.

(iii) Number of full time equivalent personnel assigned in the district to central administrative offices, itemized according to instructional support, building and central administration, and support services, including itemization of such personnel by program.

(iv) Total number of full time equivalent personnel itemized by classroom teachers, instructional support, building and central administration, and support services, including itemization of such personnel by program.



(v) Special levy budget request presented by program and expenditure for purposes over and above those requirements identified in section 3 of this 1977 amendatory act.

**NEW SECTION.** Sec. 19. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) It is the intended purpose of this section to guarantee that the certificated teaching and administrative staff in each common school district be held accountable for the proper and efficient conduct of classroom teaching in their school which will meet the individual and collective needs of the particular students enrolled therein.

(2) In conformance with the other provisions of Title 28A RCW, it shall be the responsibility of the certificated teaching and administrative staff in each common school to:

(a) Implement the district's prescribed curriculum and enforce, within their area of responsibility, the rules and regulations of the school district, the state superintendent of public instruction, and the state board of education, taking into due consideration individual differences among students, and maintain and render appropriate records and reports pertaining thereto.

(b) Maintain good order and discipline in their classrooms at all times.

(c) Hold students to a strict accountability while in school for any disorderly conduct while under their supervision.

(d) Require excuses from the parents, guardians, or custodians of minor students in all cases of absence, tardiness, or early dismissal.

(e) Give careful attention to the maintenance of a healthful atmosphere in the classroom.

(f) Give careful attention to the safety of the student in the classroom and report any doubtful or unsafe conditions to the building administrator.

(g) Evaluate each student's educational growth and development and make periodic reports thereon to parents, guardians, or custodians and to school administrators.

Failure to carry out such requirements as set forth in subsection (2) (a) through (g) above shall constitute sufficient cause for discharge of any member of such teaching or administrative staff.

**NEW SECTION.** Sec. 20. The following acts or parts thereof are each hereby repealed:

(1) Section 28A.45.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040; and

(2) Section 28A.67.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.100.

**NEW SECTION.** Sec. 21. If any provision of this 1977 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.

**NEW SECTION.** Sec. 22. This 1977 amendatory act shall take effect September 1, 1978."

In line 1 of the title after "education;" strike the remainder of the title and insert "amending section 2, chapter 46, Laws of 1973 as last amended by section 1, chapter 211, Laws of 1975 1st ex. sess. and RCW 28A.41.130; amending section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 80 Laws of 1977 and RCW 28A.41.160; amending section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145; amending section 28A.44.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.040; amending section 2, chapter 92, Laws of 1974 ex. sess. as amended by section 71, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.02.201; amending section 1, chapter 105, Laws of 1973 1st ex. sess. as amended by section 21, chapter 288, Laws of 1975 1st ex. sess. and RCW 28A.01.130; amending section 28A.44.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 24, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.080; amending section 2, chapter 124, Laws of 1972 ex. sess. as last amended by section 25, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.44.085; amending section 28A.45.050, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 135, Laws of 1975 1st ex. sess. and RCW 28A.45.050; amending section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190; amending section 36.33.110, chapter 4, Laws of 1963 as last amended by section 1, chapter 230, Laws of 1967 and RCW 36.33.110; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.41 and 28A.58 RCW; repealing sections 28A.45.040 and 28A.67.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.040 and 27A.67.100; providing penalties; and making an effective date."

Signed by Senators McDermott, Mardesich, Gould; Representatives Clemente, Heck, Barnes.

#### MOTION

Mr. Clemente moved that the Free Conference Report be adopted.

Representatives Clemente, Barnes and Heck spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Clemente, I don't have time to read all of this bill. It was my understanding when we started at the beginning of the session to write a definition of basic education, that we were supposed to define basic education in a bill and then fund that with state funds and then special programs outside of basic education would be supported by special levies. What programs will be supported by special levies rather than state money?"

Mr. Clemente: "I can only give you my impression of this. I think the bill provides that the state is going to fund not only basic education as defined, but it also funds what is basic to an individual students' needs to a categorical program. The use of special levies would be limited to bring school districts to a cost of living average, and to some closing of the great disparity between the high cost and the low cost districts. There is a 66% gap between those districts. This bill, I believe, drives toward the state assuming the constitutional mandate. It's our responsibility to make ample provision for a general and uniform school system. Categorical and basic programs will be paid largely with state funds."

Mr. Flanagan: "Then are you saying that this bill includes in a definition of basic education, everything that is taught in the public schools, and that if there isn't anything left that can be supported by special levies, the whole thing is supposed to come out of the state fund? Is that right?"

Mr. Clemente: "Representative Shinpoch just gave me the word for it. The special levy will be used for 'program enhancement.' All other programs will be paid with state funds."

Mr. Charnley spoke in favor of the motion to adopt the Free Conference Committee report.

#### POINT OF INQUIRY

Mr. Clemente yielded to question by Mr. Walk.

Mr. Walk: "Representative Clemente, on page 21, line 1, the language reads, '... requires excuses from the parents, guardians or custodians of minor students in all cases of absence, tardiness or early dismissal.' Then down on line 12, 'Failure to carry out this requirement shall constitute sufficient cause for discharge of any member of a teaching or administrative staff.' Is it the intent that if I, as a teacher, might forget in one case to collect an absentee slip from a student then I should be taken to task with cause for discharge in case of that one error on my part as a teacher?"

Mr. Clemente: "Representative Walk, I think that is present law. No, I don't believe so. It says it shall cause sufficient cause for discharge. There would be a procedural hearing and so forth precedent to that. I don't think that we are trying to make prisons out of our schools or unduly come down on teachers. I think that it establishes that we do expect reasonable care in these matters and each case of this kind would be handled on its own merit."

Mr. King demanded the previous question, and the demand was sustained.

The motion to adopt the Free Conference report was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 960 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 85; nays, 5; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Chandler, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Deccio, Douthwaite, Ehlers, Embody, Eng, Erak, Erickson, Fancher, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sanders, Sherman, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Dunlap, Gilleland, Lysen, May.

Not voting: Representatives Adams, Haley, Knedlik, Lux, Nelson G. A., Pardini, Schmitt, Shinoda.

Engrossed Substitute House Bill No. 960 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.

#### MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 11:00 a.m., Tuesday, June 21, 1977.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

## ONE HUNDRED THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, June 21, 1977.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Adams, Chandler, Charnley, Dunlap, Grimm, Haley, Heck, Lee, Lux, Maxie, Nelson (Gary), Pardini, Pearsall, Schmitt and Sherman, who were excused.

Mr. King 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 Adams, Chandler, Charnley, Dunlap, Grimm, Haley, Heck, Lee, Lux, Maxie, Nelson (Gary), Pardini, Pearsall, Sanders and Schmitt.

On motion of Mr. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Barnett and Rob Cormier. Prayer was offered by Reverend Robert M. Keller of the Church of the Good Shepherd of Lacey.

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

## MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate adheres to its position on SUBSTITUTE HOUSE BILL NO. 3, and refuses to recede from its amendment to page 5, beginning on line 20, and asks the House for a conference thereon; and the President has appointed as said conferees: Senators Bottiger, Benitz, Morrison.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Sommers, the House granted the request of the Senate for a conference on Substitute House Bill No. 3.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. Charette presiding) appointed Representatives Sommers, Kilbury and Oliver as conferees on Substitute House Bill No. 3.

## MOTION

On motion of Mr. Bender, the House dispensed with further business under the Call of the House.

The Speaker (Mr. Charette presiding) declared the House to be at ease until 1:30 p.m. The Speaker (Mr. O'Brien presiding) called the House to order.

Mr. Bender 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 Adams, Amen, Chandler, Dunlap, Fancher, Haley, Lux, Nelson (Gary), Pardini, Sanders, Schmitt, Shinoda, Smith, Tilly and Zimmerman.

On motion of Mr. Bender, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## MESSAGES FROM THE SENATE

June 20, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2537, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 21, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3109, adopting the 1977-79 operating budget, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Donohue, Odegaard, Scott; Representatives Blair, Shinpoch, Thompson.

## MOTION

On motion of Mr. Thompson, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 446,

SUBSTITUTE HOUSE BILL NO. 960,

SUBSTITUTE HOUSE BILL NO. 980.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3109, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 21, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3109, adopting the 1977-79 operating budget, have had the same under consideration, and we recommend that the House amendment not be adopted, that the Substitute Senate Bill be struck and the bill be amended to read as follows:

\*AN ACT Adopting the budget; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1977, and ending June 30, 1979; making other appropriations; designating effective dates for certain appropriations; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**NEW SECTION.** Section 1. A budget is hereby adopted and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, other expenses of the agencies and officers of the state, and for other specified purposes for the fiscal biennium beginning July 1, 1977, and ending June 30, 1979, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION. Sec. 2. FOR THE HOUSE OF REPRESENTATIVES**

General Fund Appropriation .....	\$	16,882,000
Total Appropriation .....	\$	16,882,000

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

(1) Not more than \$13,000 shall be expended for expenses incurred in hosting the 1978 annual meeting of The Council of State Governments, Western Conference.

(2) \$7,500 for the house ethics committee.

(3) \$7,500 for Western Forest Practices Task Force.

(4) \$27,000 for dues of the National Conference of State Legislatures.

(5) \$50,000 for a forest residue use study.

**NEW SECTION. Sec. 3. FOR THE SENATE**

General Fund Appropriation .....	\$	15,193,000
Total Appropriation .....	\$	15,193,000

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

(1) Not more than \$25,000 shall be expended for expenses incurred in hosting the 1977 Lieutenant Governors' Annual Conference.

(2) \$7,500 for the senate ethics committee.

(3) \$7,500 for Western Forest Practices Task Force.

(4) \$27,000 for dues of the National Conference of State Legislatures.

(5) Not more than \$12,000 shall be expended for expenses incurred in hosting the 1978 annual meeting of the Council of State Governments, Western Conference.

**NEW SECTION. Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation .....	\$	917,000
Total Appropriation .....	\$	917,000

**NEW SECTION. Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

General Fund Appropriation .....	\$	890,000
Total Appropriation .....	\$	890,000

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

(1) The Office of the State Actuary and the Legislative Evaluation Accountability Program administration shall cooperate, act, and function together in the development and maintenance of the Actuarial Computer System required by the Office of the State Actuary.

(2) This appropriation shall be contingent upon chapter ... (ESHB 660), Laws of 1977 1st ex. sess. becoming law.

**NEW SECTION. Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY**

General Fund Appropriation .....	\$	304,000
Total Appropriation .....	\$	304,000

The appropriation contained in this section shall be subject to the following condition or limitation: The Office of the State Actuary and the Legislative Evaluation Accountability Program administration shall cooperate, act, and function together in the development and maintenance of the Actuarial Computer System required by the Office of the State Actuary.

**NEW SECTION. Sec. 7. FOR THE STATUTE LAW COMMITTEE**

General Fund Appropriation .....	\$	3,013,000
Total Appropriation .....	\$	3,013,000

**NEW SECTION. Sec. 8. FOR THE SUPREME COURT**

General Fund Appropriation .....	\$	3,810,000
Total Appropriation .....	\$	3,810,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,039,000 shall be expended for indigent appeal cases.

**NEW SECTION. Sec. 9. FOR THE LAW LIBRARY**

General Fund Appropriation .....	\$	1,056,000
Total Appropriation .....	\$	1,056,000

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

(1) Not more than \$36,000 shall be expended exclusively for joining a computerized legal information system.

(2) The Revised Code of Washington and appellate case law shall be available on the computerized legal information system.

(3) All nonstate agency users of the system shall be charged a service fee sufficient to cover the costs of their usage.

**NEW SECTION, Sec. 10. FOR THE COURT OF APPEALS**

General Fund Appropriation .....	\$	4,228,000
Total Appropriation .....	\$	4,228,000

**NEW SECTION, Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation .....	\$	5,946,000
Total Appropriation .....	\$	5,946,000

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

- (1) Not more than \$110,000 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (2) \$4,397,000 shall be for superior court judges.
- (3) Not more than \$100,000 shall be expended for criminal cost bills, including prior claims.
- (4) Not more than \$684,000 in state funds shall be expended exclusively for the development of a judicial information system.

**NEW SECTION, Sec. 12. FOR THE JUDICIAL COUNCIL**

General Fund Appropriation .....	\$	186,000
Total Appropriation .....	\$	186,000

**NEW SECTION, Sec. 13. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation—State .....	\$	2,437,000
General Fund Appropriation—Federal .....	\$	200,000
Total Appropriation .....	\$	2,637,000

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

- (1) \$2,339,000 for executive operations. \$20,000 of such amount shall be expended for negotiating reciprocal agreements with adjoining states.
- (2) \$20,000 for investigation and emergency purposes to be distributed on vouchers approved by the governor.
- (3) \$184,000 for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives when approved by the governor, including prior claims and for legal services as determined by the attorney general.
- (4) \$94,000 for mansion maintenance.

**NEW SECTION, Sec. 14. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State .....	\$	149,824,000
General Fund Appropriation—Federal .....	\$	20,598,000
Special Fund Salary and Insurance Contribution Increase Revolving Fund Appropriation .....	\$	57,968,000
Total Appropriation .....	\$	228,390,000

The appropriations contained in this section, or so much thereof as may be necessary, shall be expended exclusively for the purposes designated herein and shall be subject to the following conditions and limitations:

- (1) \$1,330,000 shall be for the governor's emergency fund and shall be allocated for carrying out the critically necessary work of any agency of which not more than \$700,000 may be allotted by the governor for surveys and installations.
- (2) \$20,000 for the Interstate Nuclear Compact.
- (3) \$56,000 for the Council of State Governments.
- (4) \$15,000 for the National Association of State Auditors, Comptrollers, and Treasurers Conference.
- (5) Not more than \$63,783,000 of general fund moneys (including \$16,087,000 in federal funds) shall be expended to effect salary increases for state classified employees and for state employees exempt from the classified service. Not more than \$50,029,000 of this amount (including \$12,617,000 in federal funds) shall be expended to effect, beginning July 1, 1977, an average of 10% salary increases, for state classified employees and for state employees exempt from the classified service. Not more than \$13,754,000 of this amount (including \$3,470,000 in federal funds) shall be expended to effect, beginning July 1, 1978, an average of 5% salary increases, for state classified employees and for state employees exempt from the classified service.
- (6) Not more than \$24,037,000 of general fund moneys shall be expended to effect salary increases for state higher education classified employees excluding student employees not under the jurisdiction of the State Personnel Board or Higher Education Personnel Board. Not more than \$18,852,000 of this amount shall be expended to effect, beginning July 1, 1977, an average of 10% salary increases, for state higher education classified employees. Not more than \$5,185,000 of this amount shall be expended to effect, beginning July 1, 1978, an average of 5% salary increases, for state higher education classified employees.
- (7) Not more than \$31,266,000 of these general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and exempt employees of the four-year units of higher education. Not more than \$15,479,000 of this amount shall be expended to effect, beginning July 1, 1977, an average 6% salary increase including increments or their equivalents for faculty and exempt employees of the four-year units of higher education. Not more than \$5,468,000 of this amount shall be expended to effect, beginning July 1, 1978, an average 4% salary increase including increments or their

equivalents for faculty and exempt employees of the four-year units of higher education. It is the intent of the Legislature to strive for equity in faculty and exempt salaries for the four-year units of higher education. To this end, not more than \$8,873,000 of this amount shall be expended to effect additional salary increases for faculty and exempt employees, effective July 1, 1977, averaging 4% for the University of Washington, Washington State University, and Western Washington State College, and averaging 2% for Eastern Washington State College and not more than \$1,446,000 of this amount shall be expended to effect salary increases for faculty and exempt employees, effective July 1, 1978, averaging 1% for the University of Washington, Washington State University, and Western Washington State College, and Eastern Washington State College: PROVIDED, That no four-year unit of higher education may grant from any fund source any additional salary increase greater than that provided in this act for faculty and exempt employees.

(8) Not more than \$18,134,000 of these general fund moneys shall be expended to effect salary increases including increments or their equivalents for faculty and exempt employees of the community college system. Not more than \$14,223,000 of this amount shall be expended to effect, beginning July 1, 1977, an average 10% salary increase including increments or their equivalents for faculty and exempt employees of each community college district: PROVIDED, That no district may grant from any fund source any additional salary increase greater than that provided in this act for faculty and exempt employees except that in addition to the increase provided herein, those districts whose actual average faculty salary for 1976-77 is less than that earned from the system's 1976-77 hypothetical schedule may increase the average salary of the faculty and exempt employees in 1977-78 up to the average earned by the district from the hypothetical schedule or 5% whichever is less, as determined from rules and regulations promulgated by the State Board for Community College Education.

Not more than \$3,911,000 of this amount shall be expended to effect, beginning July 1, 1978, an average 5% salary increase including increments or their equivalents for faculty and exempt employees of each community college district: PROVIDED, That no district may grant from any fund source any additional salary increase greater than that provided in this act for faculty and exempt employees, except that in addition to the increase provided herein, those districts whose actual average faculty salary for 1977-78 is less than that earned from the system's 1977-78 hypothetical schedule may increase the average salary of faculty and exempt employees in 1978-79 up to the average earned by the district from the hypothetical schedule or 5% whichever is less, as determined from rules and regulations promulgated by the State Board for Community College Education.

(9) Not more than \$208,000 of general fund moneys (including \$39,000 in federal funds) shall be expended to effect salary increases for commissioned members of the Washington State Patrol. Not more than \$163,000 of this amount (including \$31,000 in federal funds) shall be expended to effect, beginning July 1, 1977, an average 10% salary increase, for commissioned members of the Washington State Patrol. Not more than \$45,000 of this amount (including \$8,000 in federal funds) shall be expended to effect, beginning July 1, 1978, an average 5% salary increase, for commissioned members of the Washington State Patrol: PROVIDED, That no additional salary increases may be granted from any fund source greater than those authorized by this act: PROVIDED FURTHER, That the Department of Personnel shall conduct a comprehensive survey for providing salary rates for positions similar (both in-state and out-of-state) to commissioned members of the Washington State Patrol and report back to the Legislature no later than January 15, 1978.

(10) Not more than \$31,573,000 of general fund moneys (including \$4,472,000 in federal funds) shall be expended to effect, beginning July 1, 1977, an increase in the state's maximum contribution for employee insurance benefits from \$35 per month to \$72.50 per month per eligible employee.

(11) Not more than \$46,685,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to provide salary increases for state classified employees, state employees exempt from the classified service, higher education classified employees and commissioned members of the Washington State Patrol. Not more than \$36,616,000 of this amount shall be expended to effect, beginning July 1, 1977, an average of 10% salary increases. Not more than \$10,069,000 of this amount shall be expended to effect, beginning July 1, 1978, an average of 5% salary increases.

(12) Not more than \$97,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to effect salary increases including increments or their equivalents for University of Washington faculty and exempt employees. Not more than \$45,000 of this amount shall be expended to effect, beginning July 1, 1977, an average 6% increase including increments or their equivalents. Not more than \$16,000 of this amount shall be expended to effect, beginning July 1, 1978, an average 4% increase including increments or their equivalents. It is the intent of the Legislature to strive for equity in faculty and exempt salaries for the four-year units of higher education. To this end, not more than \$31,000 shall be expended to effect additional salary increases, effective July 1, 1977, averaging 4% and not more than \$5,000 shall be expended to effect additional salary increases, effective July 1, 1978, averaging 1%.

(13) Not more than \$11,186,000 of Special Fund Salary and Insurance Contribution Increase Revolving Fund moneys shall be expended to effect, beginning July 1, 1977, an increase in the state's maximum contribution for employee insurance benefits from \$35 per month to \$72.50 per month per eligible employee.

(14) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is hereby directed to transfer sufficient income from each special fund to the Special Fund Salary and Insurance Contribution Increase Revolving Fund hereby created in accordance with schedules provided by the Office of Program Planning and Fiscal Management.



**NEW SECTION, Sec. 15. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation .....	\$	148,000
Total Appropriation .....	\$	148,000

**NEW SECTION, Sec. 16. FOR THE SECRETARY OF STATE**

General Fund Appropriation .....	\$	2,439,000
Total Appropriation .....	\$	2,439,000

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

- (1) Not more than \$800,000 shall be expended for support of the initiatives and referendums program.
- (2) Not more than \$240,000 shall be spent on advertising for initiatives and referendums.

**NEW SECTION, Sec. 17. FOR THE JAIL COMMISSION**

General Fund Appropriation .....	\$	200,000
Total Appropriation .....	\$	200,000

The appropriation contained in this section shall be contingent upon R2SSB 2040 becoming law: PROVIDED, That no more than \$250,000 from all state sources shall be expended to carry out the provisions of this act: PROVIDED FURTHER, That this appropriation shall fund such commission through fiscal year 1978.

**NEW SECTION, Sec. 18. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation .....	\$	156,000
Total Appropriation .....	\$	156,000

**NEW SECTION, Sec. 19. FOR THE WASHINGTON STATE WOMEN'S COUNCIL**

General Fund Appropriation .....	\$	198,000
Total Appropriation .....	\$	198,000

**NEW SECTION, Sec. 20. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	107,000
Total Appropriation .....	\$	107,000

**NEW SECTION, Sec. 21. FOR THE STATE TREASURER**

General Fund Appropriation .....	\$	3,000
Motor Vehicle Fund Appropriation .....	\$	29,000
State Treasurer's Service Fund Appropriation .....	\$	2,953,000
Total Appropriation .....	\$	2,985,000

The appropriations contained in this section shall be subject to the following condition or limitation: The general fund appropriation shall be distributed as provided in RCW 84.38.120 to the appropriate county and city finance officers for senior citizen and disabled property tax and special assessment deferrals authorized by chapter 84.38 RCW.

**NEW SECTION, Sec. 22. FOR THE STATE AUDITOR**

General Fund Appropriation—State .....	\$	4,772,000
General Fund Appropriation—Federal .....	\$	415,000
Motor Vehicle Fund Appropriation .....	\$	150,000
Total Appropriation .....	\$	5,337,000

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

- (1) At least \$20,000 of the general fund appropriation shall be used to perform an audit of the implementation of the 106% limit on property tax levies in the 39 counties.
- (2) Within the funds appropriated and where feasible, word processing equipment is to be purchased rather than leased.
- (3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

**NEW SECTION, Sec. 23. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	2,127,000
Legal Services Revolving Fund Appropriation .....	\$	11,377,000
Total Appropriation .....	\$	13,504,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$90,000 shall be expended exclusively to provide attorney general services for Counsel for the Environment. \*

**NEW SECTION, Sec. 24. FOR THE OFFICE OF PROGRAM PLANNING AND FISCAL MANAGEMENT**

General Fund Appropriation .....	\$	7,090,000
Total Appropriation .....	\$	7,090,000

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

- (1) \$5,903,000 for operations. \$20,000 of the \$5,903,000 for operations shall only be expended for the purpose of entering into a contract with the bureau of the census for block statistics and for preparing maps and related materials for those areas specified in chapter ... (SSB 2356), Laws of 1977 1st ex. sess.
- (2) Not more than \$1,140,000 shall be expended for supplies and services furnished in previous biennia.
- (3) Not more than \$75,000 shall be expended for payment of assessments against state owned lands.

**NEW SECTION. Sec. 25. FOR THE DEPARTMENT OF PERSONNEL**

Personnel Service Revolving Fund—State .....	\$	6,048,000
Personnel Service Revolving Fund—Federal .....	\$	440,000
State Employees' Insurance Fund .....	\$	1,078,000
Date Processing Revolving Fund Appropriation .....	\$	2,930,000
Total Appropriation .....	\$	10,496,000

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

- (1) Not more than \$45,000 shall be expended as payments of Employee Suggestion Awards.
- (2) \$85,000 of the Personnel Service Revolving Fund appropriation shall be reimbursable from the Department of Social and Health Services for the biennial costs of the Department of Personnel State Employees' Alcoholism Program established in accordance with RCW 70.96A.080.
- (3) All expenses of the state employees' insurance board shall be paid from the State Employees' Insurance Fund.
- (4) The Department shall conduct a comprehensive survey of providing salary rates for positions similar (both in-state and out-of-state) to commissioned members of the Washington State Patrol and report back to the Legislature no later than January 15, 1978.

**NEW SECTION. Sec. 26. FOR THE CAPITOL COMMITTEE**

General Fund—Capitol Building Construction Account Appropriation .....	\$	20,000
Total Appropriation .....	\$	20,000

**NEW SECTION. Sec. 27. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	855,000
Data Processing Revolving Fund Appropriation .....	\$	26,396,000
Total Appropriation .....	\$	27,251,000

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

- (1) The authority shall approve the billing rates charged by the state's data processing service centers. The billing format shall be developed in such a manner as to allow rate comparisons between service centers. Initial approval by the authority shall be completed no later than January 1, 1978.
- (2) Not more than \$12,384,000 of the data processing revolving fund appropriation shall be expended exclusively for data processing service center number one.
- (3) Not more than \$8,847,000 of the data processing revolving fund appropriation shall be expended exclusively for data processing service center number three.
- (4) Not more than \$5,165,192 of the data processing revolving fund appropriation shall be expended exclusively for the data processing equipment pool.
- (5) Data processing service centers number one and three shall submit, no later than April 1, 1978, an integrated management and budget plan for fiscal year 1979 for approval by the office of program planning and fiscal management and the legislative budget committee.

**NEW SECTION. Sec. 28. FOR THE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation .....	\$	768,000
Total Appropriation .....	\$	768,000

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

- (1) The committee shall assume full responsibility for the investment management of the state trust and retirement funds.
- (2) Not more than \$120,000 of the appropriation contained in this section shall be expended exclusively for the purpose of developing the computerized investment management and accounting system.

**NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$	25,595,000
State Timber Reserve Fund Appropriation .....	\$	1,885,000
Motor Vehicle Fund Appropriation .....	\$	81,000
Total Appropriation .....	\$	27,561,000

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

- (1) The department shall make every effort to maintain current audit recovery and increase this recovery by at least \$3,800,000 over the 1975-77 biennium.
- (2) \$10,000 of the general fund appropriation may be used to contract with Boeing Computer Services for the econometric model: PROVIDED, That the contract is written to include the legislature as well as state agencies.

**NEW SECTION. Sec. 30. FOR THE TAX APPEALS BOARD**

General Fund Appropriation .....	\$	604,000
Total Appropriation .....	\$	604,000

**NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation .....	\$	7,897,000
Department of General Administration Facilities and Services Revolving Fund Appropriation .....	\$	8,675,000
General Fund—Motor Transport Account Appropriation .....	\$	4,266,000
Total Appropriation .....	\$	20,838,000

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

(1) Not more than \$560,000 of the general fund appropriation may be expended for continued maintenance of the facilities at Northern State Hospital.

(2) Not more than \$35,000 of the general fund appropriation shall be expended for the Migrant Campsite Advisory Council established by the director to extend the Buena pilot project contingent upon chapter ... (SB 2667), Laws of 1977 1st ex. sess. becoming law.

(3) \$70,000 of the general fund appropriation shall be expended solely to provide for the premium costs of insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft, whether piloted by a state employee or by an employee or employees of a charter or rental firm.

(4) \$631,000 of the motor transport account appropriation may only be expended for increased operating costs associated with additional vehicles being transferred to the Motor Transport Division from other state agencies and for no other purpose. Such funds shall not be available for allotment until a plan for the transfer of vehicles shall have been reviewed and approved by the Office of Program Planning and Fiscal Management. A report of any amounts approved for allotment shall be filed with the legislative auditor and the auditor shall transmit such report to the senate committee on ways and means and the house committee on appropriations.

(5) The Department of Agriculture shall transfer \$79,000 from its local fund accounts to the motor transport account and the state treasurer shall transfer to the motor transport account \$126,000 from the state general fund, \$63,000 from the grain and hay inspection fund, \$8,000 from the fertilizer, agricultural, mineral and lime fund, \$27,000 from the accident fund, and \$4,000 from the commercial feed fund. These transfers shall be in accordance with schedules provided by the Office of Program Planning and Fiscal Management.

**NEW SECTION. Sec. 32. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation .....	\$ 4,712,000
Total Appropriation .....	\$ 4,712,000

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

- (1) \$1,069,829 shall be expended exclusively for support of the Fire Safety and Regulation Program.
- (2) Whenever the Insurance Companies Reimbursement Fund—Local exceeds \$269,000, there shall be a corresponding increase in unexpended state funds.

**NEW SECTION. Sec. 33. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution .....	\$ 2,064,000
General Fund Appropriation for snowmobile registration fee distribution .....	\$ 34,000
General Fund Appropriation for public utility district excise tax distribution .....	\$ 13,728,000
General Fund Appropriation for prosecuting attorneys salaries .....	\$ 1,129,000
General Fund Appropriation for motor vehicle excise tax distribution .....	\$ 32,270,000
General Fund Appropriation for local mass transit assistance .....	\$ 47,174,000
General Fund Appropriation for travel trailer and camper excise tax distribution .....	\$ 1,687,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$ 244,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$ 16,360,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$ 134,042,000
Liquor Board Revolving Fund Appropriation for liquor profits distribution .....	\$ 44,600,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' Counties .....	\$ 26,580,000
State Timber Reserve Account Appropriation for distribution to 'Timber' Counties .....	\$ 37,260,000

**NEW SECTION. Sec. 34. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION**

Forest Reserve Fund Appropriation for forest reserve fund distribution .....	\$ 34,498,000
General Fund Appropriation for federal flood control funds distribution .....	\$ 21,000
General Fund Appropriation for federal grazing fees distribution .....	\$ 42,000

**NEW SECTION. Sec. 35. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST**

Highway Bond Retirement Fund Appropriation .....	\$ 66,286,000
Toll Bridge Authority Bond Redemption Fund 1977 Appropriation .....	\$ 1,017,000
Public School Building Bond Redemption Fund 1959 Appropriation .....	\$ 4,776,000
Public School Building Bond Redemption Fund 1961 Appropriation .....	\$ 7,384,000
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$ 8,657,000
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$ 2,446,000
Common School Building Bond Redemption Fund 1967 Appropriation .....	\$ 6,925,000
University of Washington Bond Retirement Fund Appropriation .....	\$ 3,304,000
Washington State University Bond Retirement Fund Appropriation .....	\$ 2,365,000
Washington State University Bond Redemption Fund 1977 Appropriation .....	\$ 276,000
Central Washington State College Bond Retirement Fund Appropriation .....	\$ 873,000
Eastern Washington State College Bond Retirement Fund Appropriation .....	\$ 938,000

Western Washington State College Bond Retirement Fund Appropriation .....	\$	1,277,000
The Evergreen State College Bond Retirement Fund 1967 Appropriation .....	\$	374,000
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,393,000
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,234,000
Higher Education Bond Redemption Fund 1975-76 Appropriation .....	\$	2,028,000
University of Washington Hospital Bond Retirement Fund 1975 Appropriation .....	\$	849,000
State Higher Education Bond Redemption Fund 1977 Appropriation .....	\$	150,000
Community College Capital Improvement Bond Redemption Fund 1972 Approp- riation .....	\$	7,516,000
Community College Capital Construction Bond Redemption Fund 1975 Approp- riation .....	\$	7,033,000
Indian Cultural Center Construction Bond Redemption Fund of 1976 Appropria- tion .....	\$	104,000
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,731,000
Community College Building Bond Retirement Fund 1977 Appropriation .....	\$	313,000
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	298,000
Institutional Building Bond Redemption Fund 1957 Appropriation .....	\$	3,569,000
State Building Construction Bond Redemption Fund Appropriation .....	\$	5,668,000
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	8,544,000
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	9,757,000
Fisheries Bond Redemption Fund 1976 Appropriation .....	\$	777,000
Fisheries Bond Redemption Fund 1977 Appropriation .....	\$	391,000
Fisheries Salmon Enhancement Bond Redemption Fund Appropriation .....	\$	391,000
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Approp- riation .....	\$	624,000
General Administration Building Bond Redemption Fund Appropriation .....	\$	674,000
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,451,000
State Building Bond Redemption Fund 1967 Appropriation .....	\$	651,000
State Building Bond Retirement Fund 1975 Appropriation .....	\$	797,000
State Building Bond Redemption Fund 1973A Appropriation .....	\$	389,000
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,938,000
State Facilities Bond Redemption Fund 1977 Appropriation .....	\$	235,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropria- tion .....	\$	3,001,000
State Social and Health Services Bond Redemption Fund 1976 Appropriation .....	\$	1,496,000
Outdoor Recreational Bond Redemption Fund Appropriation .....	\$	2,323,000
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	4,775,000
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,855,000
Outdoor Recreational Bond Redemption Fund 1967 Appropriation .....	\$	6,290,000
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,916,000
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	8,740,000
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	8,166,000
Emergency Water Projects Bond Redemption Fund of 1977 Appropriation .....	\$	2,681,000
<b>NEW SECTION, Sec. 36. FOR THE PUBLIC DISCLOSURE COMMISSION</b>		
General Fund Appropriation .....	\$	746,000
Total Appropriation .....	\$	746,000
<b>NEW SECTION, Sec. 37. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS</b>		
General Fund Appropriation .....	\$	304,838,000
Retirement System Expense Fund Appropriation .....	\$	3,150,000
Teachers' Retirement Fund Appropriation .....	\$	1,362,000
Motor Vehicle Fund Appropriation .....	\$	25,000
Total Appropriation .....	\$	309,375,000

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

(1) Not more than \$2,840,000 of the general fund appropriation shall be expended within the Teachers' Retirement System to continue an ad hoc increase for the 1977-79 biennium in the minimum pension provided in RCW 41.32.497, to eight dollars per month for each year of creditable service to all members who retired prior to April 25, 1973.

(2) For the teachers' retirement system, \$175,851,000 (of which \$69,000,000 is to be from federal revenue sharing funds received during the 1977-79 biennium) shall be expended for contributions to the system and \$1,362,000 from the teachers' retirement fund shall be expended for administration.

(3) For the law enforcement officers' and fire fighters' retirement system, \$125,433,000 shall be expended for contributions to the system and \$377,000 from the retirement system expense fund shall be expended for administration.

(4) For the public employees' retirement system, \$2,773,000 from the retirement system expense fund shall be expended for administration.

(5) For the judicial retirement system, \$120,000 shall be expended for contributions to the system and \$9,000 shall be expended for administration.

(6) For the judges' retirement system, \$584,000 shall be expended for contributions to the system and \$1,000 shall be expended for administration.

(7) For the Washington state patrol retirement system, \$25,000 from the motor vehicle fund shall be expended for administration.

**NEW SECTION, Sec. 38. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation .....	\$	792,000
Total Appropriation .....	\$	792,000

**NEW SECTION, Sec. 39. FOR THE UNIFORM LEGISLATION COMMISSION**

General Fund Appropriation .....	\$	20,000
Total Appropriation .....	\$	20,000

**NEW SECTION, Sec. 40. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation .....	\$	381,000
Total Appropriation .....	\$	381,000

**NEW SECTION, Sec. 41. FOR THE ATHLETIC COMMISSION**

General Fund Appropriation .....	\$	48,000
Total Appropriation .....	\$	48,000

**NEW SECTION, Sec. 42. FOR THE CEMETERY BOARD**

General Fund—Cemetery Account Appropriation .....	\$	42,000
Total Appropriation .....	\$	42,000

**NEW SECTION, Sec. 43. FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Fund Appropriation .....	\$	1,452,000
Total Appropriation .....	\$	1,452,000

**NEW SECTION, Sec. 44. FOR THE LIQUOR CONTROL BOARD**

Liquor Board Revolving Fund Appropriation .....	\$	46,173,000
Total Appropriation .....	\$	46,173,000

**NEW SECTION, Sec. 45. FOR THE PHARMACY BOARD**

General Fund Appropriation .....	\$	603,000
Total Appropriation .....	\$	603,000

**NEW SECTION, Sec. 46. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation .....	\$	10,160,000
Grade Crossing Protective Fund Appropriation .....	\$	1,078,000
Total Appropriation .....	\$	11,238,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$525,000 from the Grade Crossing Protective Fund Appropriation shall be used solely for obligations incurred in the 1975-77 biennium.

**NEW SECTION, Sec. 47. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund		
Appropriation .....	\$	86,000
Total Appropriation .....	\$	86,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$5,000 shall be expended for actuarial services to be performed by the state actuary.

**NEW SECTION, Sec. 48. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State .....	\$	423,000
General Fund Appropriation—Federal .....	\$	1,862,000
Total Appropriation .....	\$	2,285,000

**NEW SECTION, Sec. 49. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation—State .....	\$	4,200,000
General Fund Appropriation—Federal .....	\$	492,000
Total Appropriation .....	\$	4,692,000

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$225,000 shall be expended for maintenance and repair of installations.

**NEW SECTION, Sec. 50. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation .....	\$	840,000
Total Appropriation .....	\$	840,000

**NEW SECTION, Sec. 51. DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

State Funding Sources .....	\$	947,741,000
Federal Funding Sources .....	\$	700,545,000
Other Funding Sources .....	\$	1,952,000
Total Of All Funding Sources .....	\$	1,650,238,000

The appropriations contained in sections 52 through 62 of this act shall be subject to the following conditions and limitations:

(1) Not more than 26,489 FTE staff years are authorized within the department during the 1977-79 biennium.

(2) Any funds derived from settlement of litigation against the United States government shall be deposited in the state general fund by the state treasurer and no expenditure shall be made therefrom without specific legislative appropriation pursuant to law.

(3) All program savings realized by the department in moneys or FTE staff years shall be placed in allotment reserve by the office of program planning and fiscal management.

(4) The department shall not initiate any new services or programs beyond those authorized by specific appropriation in this act.

(5) The department shall not impose rateable reduction in any public assistance grant payments for which funds are appropriated in sections 56 through 59 of this act.

(6) The department shall curtail all outreach activity within programs, subject to section 173 of this act, in order to allow the executive and legislative branches to review the policy and direction of the various programs within the agency.

(7) From the appropriations contained in sections 52 through 62 of this act, the department shall not transfer, in the aggregate, more than a total of ten million dollars among all the programs without prior approval of the office of program planning and fiscal management. Said office shall give written notice to the house appropriations committee and the senate ways and means committee thirty days prior to the allotment of the funds or full time equivalent staff years transferred. Such notice shall identify the program and category from which and to which the transfers are to be made and the reason or reasons that necessitates the transfer.

**NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS AND REHABILITATION PROGRAM**

State Funding Sources .....	\$ 82,187,000
Total Funding Sources For Program .....	\$ 82,187,000
Total FTE Staff Years For Program .....	3,780

**COMMUNITY REHABILITATION SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$ 15,492,000
Total Appropriation .....	\$ 15,492,000
Total FTE Staff Years .....	876

**INSTITUTIONAL REHABILITATION SERVICES CATEGORY.**

General Fund Appropriation .....	\$ 21,285,000
Total Appropriation .....	\$ 21,285,000
Total FTE Staff Years .....	925

**CUSTODY CATEGORY.**

General Fund Appropriation .....	\$ 21,193,000
Total Appropriation .....	\$ 21,193,000
Total FTE Staff Years .....	1,402

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation .....	\$ 536,000
Total Appropriation .....	\$ 536,000
Total FTE Staff Years .....	13

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation .....	\$ 23,681,000
Total Appropriation .....	\$ 23,681,000
Total FTE Staff Years .....	564

The appropriations contained in this section shall be subject to the following conditions and limitations:  
(1) Probation and parole staff shall be expanded by an expenditure level not to exceed \$818,000 and a staffing level not to exceed 48 FTE staff years.

(2) Not more than \$1,194,000 and 31 FTE staff years shall be expended for establishing six additional work training release facilities.

(3) Not more than \$1,355,000 and 54 FTE staff years shall be expended to open a new 100-bed honor camp.

(4) A work/training release staging facility to be located on the existing Gieger Field site in Spokane County shall be established to provide a 30-bed work training release capability and 100 minimum security beds. Not more than \$1,295,000 and 20 FTE staff years shall be expended to operate the facility.

(5) Not more than \$467,000 and 35 FTE staff years shall be expended to expand the institutional counselling program to achieve a 60 to 1 resident/staff ratio.

(6) Not more than \$582,000 and 34 FTE staff years shall be expended to establish a specialized treatment program at the Washington State Penitentiary.

(7) The program at the Larch Mountain Correction Center shall be expanded to include 26 additional residents and the resident capacity of the Clearwater Honor Camp shall be expanded to 100. Not more than \$264,000 and 17 FTE staff years shall be expended for such purposes.

(8) Not more than \$2,096,000 and 129 FTE staff years shall be expended to increase the custody staff at each of the institutions to 100% post assignment.

(9) Not more than \$629,000 shall be expended to fund institutional diversion projects in the community.

(10) \$22,000,000 of the appropriation contained in this section shall be from the Countercyclical Revenue Sharing Program.

**NEW SECTION, Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

State Funding Sources .....	\$	44,617,000
Federal Funding Sources .....	\$	2,153,000
Other Funding Sources .....	\$	500,000
Total Funding Sources For Program .....	\$	47,270,000
Total FTE Staff Years For Program .....		2,084

**COMMUNITY REHABILITATION SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$	12,223,000
General Fund Appropriation—Federal .....	\$	406,000
Total Appropriation .....	\$	12,629,000
Total FTE Staff Years .....		317

**INSTITUTIONAL REHABILITATION SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$	19,964,000
Total Appropriation .....	\$	19,964,000
Total FTE Staff Years .....		1,279

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation—State .....	\$	1,300,000
General Fund Appropriation—Federal .....	\$	1,000,000
General Fund Appropriation—Other .....	\$	500,000
Total Appropriation .....	\$	2,800,000
Total FTE Staff Years .....		31

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation—State .....	\$	11,130,000
General Fund Appropriation—Federal .....	\$	747,000
Total Appropriation .....	\$	11,877,000
Total FTE Staff Years .....		457

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

(1) Not more than \$212,000 and 6 FTE staff years shall be expended to staff three new group homes to be completed by January, 1979.

(2) Not more than \$1,475,000 and 180 additional FTE staff years shall be expended within the Institutional Rehabilitation category of this program to provide adequate staffing within the institutions and to allow residence units not currently being utilized to be opened and staffed. Staffing patterns within the residence units shall provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(3) Not more than \$300,000 of state general fund moneys shall be expended for continuation of the project for the community evaluation and diagnosis of juvenile delinquents.

(4) Not more than \$2,582,000 (of which at least \$1,000,000 shall be from federal funds and at least \$500,000 shall be from local funds) shall be expended for the continuance of existing institutional diversion programs in the community. The department shall develop contracts for the expenditure of these funds which will assure that populations served will be those which would be the responsibility of the Bureau of Juvenile Rehabilitation.

(5) Not more than \$1,277,000 and 54 FTE staff years shall be expended for delinquency prevention services.

(6) Should the United States government make funding and/or resources available with the intent to repay Washington state for the capital improvements made upon the Juvenile Diagnostic Facility at Cascadia, the department of social and health services secretary must have the approval of the senate ways and means and house appropriations committees prior to any reversion of the facility to the United States government.

**NEW SECTION, Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM**

State Funding Sources .....	\$	75,963,000
Federal Funding Sources .....	\$	12,862,000
Other Funding Sources .....	\$	1,083,000
Total Funding Sources For Program .....	\$	89,908,000
Total FTE Staff Years For Program .....		2,597

**COMMUNITY SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$	25,683,000
General Fund Appropriation—Federal .....	\$	5,621,000

General Fund Appropriation—Other .....	\$	1,083,000
Total Appropriation .....	\$	32,387,000
Total FTE Staff Years .....		18

#### INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State .....	\$	26,625,000
General Fund Appropriation—Federal .....	\$	1,166,000
Total Appropriation .....	\$	27,971,000
Total FTE Staff Years .....		1,856

#### ALCOHOLISM CATEGORY.

General Fund Appropriation—State .....	\$	8,364,000
General Fund Appropriation—Federal .....	\$	3,641,000
Total Appropriation .....	\$	12,005,000
Total FTE Staff Years .....		33

#### DRUG ABUSE CATEGORY.

General Fund Appropriation—State .....	\$	138,000
General Fund Appropriation—Federal .....	\$	1,419,000
Total Appropriation .....	\$	1,557,000
Total FTE Staff Years .....		18

#### SPECIAL PROJECTS CATEGORY.

General Fund Appropriation—State .....	\$	64,000
General Fund Appropriation—Federal .....	\$	374,000
Total Appropriation .....	\$	438,000
Total FTE Staff Years .....		0

#### PROGRAM SUPPORT CATEGORY.

General Fund Appropriation—State .....	\$	15,089,000
General Fund Appropriation—Federal .....	\$	641,000
Total Appropriation .....	\$	15,730,000
Total FTE Staff Years .....		672

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

(1) Not more than \$1,326,000 shall be expended to enhance the program for the hospitalization of acutely mentally ill children in the community.

(2) Not more than \$1,500,000 shall be expended to enhance the treatment of the seriously mentally ill in the community.

(3) Not more than \$349,000 and 24 FTE staff years shall be expended at Eastern State Hospital to continue the treatment of mentally ill felons referred by the courts.

(4) Not more than \$436,000 and 30 FTE staff years shall be expended to establish and operate a mentally ill offender ward at Western State Hospital.

(5) Not more than \$67,000 and 2 FTE staff years shall be expended to expand the Department of Personnel alcoholism program for state employees stationed in the Seattle area.

(6) Not more than \$27,000 from federal funds shall be expended to continue the study on the effects of mental health treatment on low income persons.

(7) Not more than \$1,557,000 (of which \$1,419,000 is to be from federal funds) and 18 FTE staff years shall be expended to carry out the drug abuse program transferred from the planning and community affairs agency.

(8) Not more than \$100,000 shall be expended to maintain the calendar year 1976 level of special subsidy to community mental health grant distribution amounts for the four counties directly affected by the closure of Northern State Hospital.

(9) Not more than \$64,000 shall be expended as state matching funds for construction of the Greater Lakes Mental Health facility.

#### NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM

State Funding Sources .....	\$	88,733,000
Federal Funding Sources .....	\$	32,383,000
Total Funding Sources For Program .....	\$	121,116,000
Total FTE Staff Years For Program .....		6,053

#### COMMUNITY SERVICES CATEGORY.

General Fund Appropriation—State .....	\$	15,188,000
General Fund Appropriation—Federal .....	\$	9,206,000
Total Appropriation .....	\$	24,394,000
Total FTE Staff Years .....		234

#### INSTITUTIONAL REHABILITATION SERVICES CATEGORY.

General Fund Appropriation—State .....	\$	45,347,000
General Fund Appropriation—Federal .....	\$	12,560,000
Total Appropriation .....	\$	57,907,000



Total FTE Staff Years .....	4,214
<b>SPECIAL PROJECTS CATEGORY.</b>	
General Fund Appropriation—State .....	\$ 951,000
General Fund Appropriation—Federal .....	\$ 4,971,000
Total Appropriation .....	\$ 5,922,000
Total FTE Staff Years .....	122

<b>PROGRAM SUPPORT CATEGORY.</b>	
General Fund Appropriation—State .....	\$ 27,247,000
General Fund Appropriation—Federal .....	\$ 5,646,000
Total Appropriation .....	\$ 32,893,000
Total FTE Staff Years .....	1,483

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

- (1) Not more than \$1,059,000 shall be expended to provide vendor rate increases of 5.5% per year to group homes and to provide for additional clients.
- (2) Not more than \$1,124,000 shall be expended to provide vendor rate increases of 5.5% per year for developmental centers and to increase the number of days per client to 150.
- (3) Not more than \$1,808,000 (of which \$645,000 is to be from federal funds) and 101 FTE staff years shall be expended to staff and operate three state residential treatment centers.
- (4) Not more than \$1,010,000 (at least \$620,000 of which is to be from federal funds) shall be expended in Home Aid Services. By January 9, 1978, the department of social and health services shall provide to the senate standing committees on ways and means and social and health services and the house standing committees on appropriations and social and health services an analysis of the Home Aid Program including the characteristics of the clients, number of hours of service each client receives, category of service each client receives, length of time client receives services, frequency of services provided, type of training service providers receive, wage scales paid to service providers based on characteristics of client and category of service provided, and amount of funds expended in each category of service for each region.
- (5) Up to \$250,000 shall be expended exclusively to increase salaries for Group Home resident care nonprofessional employees.

<b>NEW SECTION, Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE NURSING HOMES PROGRAM</b>	
State Funding Sources .....	\$ 86,475,000
Federal Funding Sources .....	\$ 90,991,000
Total Funding Sources .....	\$ 177,466,000
Total FTE Staff Years For Program .....	198

<b>ASSISTANCE GRANTS CATEGORY.</b>	
General Fund Appropriation—State .....	\$ 85,119,000
General Fund Appropriation—Federal .....	\$ 88,046,000
Total Appropriation .....	\$ 173,165,000
Total FTE Staff Years .....	0

<b>ADMINISTRATION CATEGORY.</b>	
General Fund Appropriation—State .....	\$ 1,357,000
General Fund Appropriation—Federal .....	\$ 2,944,000
Total Appropriation .....	\$ 4,301,000
Total FTE Staff Years .....	198

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

- (1) Not more than \$40,000 and 2 FTE staff years shall be expended to establish a Health Data Collection system for nursing homes.
- (2) \$11,995,000 (of which \$6,385,000 is to be federal funds) shall be utilized to provide vendor rate adjustments for inflation.
- (3) Not more than \$11,272,000 (of which \$5,749,000 is to be from federal funds) shall be expended exclusively to increase salaries for nursing home employees, other than registered nurses, licensed practical nurses and administrative employees, involved in direct and indirect patient care.

<b>NEW SECTION, Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE INCOME MAINTENANCE PROGRAM</b>	
State Funding Sources .....	\$ 269,063,000
Federal Funding Sources .....	\$ 212,994,000
Total Funding Sources For Program .....	\$ 482,057,000
Total FTE Staff Years For Program .....	3,098

<b>MAINTENANCE GRANTS CATEGORY.</b>	
General Fund Appropriation—State .....	\$ 239,451,000
General Fund Appropriation—Federal .....	\$ 173,805,000
Total Appropriation .....	\$ 413,256,000
Total FTE Staff Years .....	0

**OTHER ASSISTANCE CATEGORY.**

General Fund Appropriation—State . . . . .	\$	2,820,000
General Fund Appropriation—Federal . . . . .	\$	1,154,000
Total Appropriation . . . . .	\$	3,974,000
Total FTE Staff Years . . . . .		62

**ELIGIBILITY DETERMINATION CATEGORY.**

General Fund Appropriation—State . . . . .	\$	12,737,000
General Fund Appropriation—Federal . . . . .	\$	15,720,000
Total Appropriation . . . . .	\$	28,457,000
Total FTE Staff Years . . . . .		1,704

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation—Federal . . . . .	\$	13,067,000
Total Appropriation . . . . .	\$	13,067,000
Total FTE Staff Years . . . . .		0

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation—State . . . . .	\$	14,055,000
General Fund Appropriation—Federal . . . . .	\$	9,248,000
Total Appropriation . . . . .	\$	23,303,000
Total FTE Staff Years . . . . .		1,332

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

(1) Not more than \$34,767,000 (of which \$17,152,000 is to be from federal funds) shall be expended to provide a 5.5% cost-of-living increase for each year of the biennium for all assistance grants other than the state supplementation to the Supplemental Security Income (SSI) program.

(2) Not more than \$17,797,000 shall be expended for a cost-of-living increase to the state supplement of the Supplemental Security Income (SSI) program.

(3) Not more than \$1,298,000 shall be expended to resume general assistance for persons who are receiving training in the vocational rehabilitation program.

(4) Not more than \$1,573,000 shall be expended for an increase for congregate care facilities to meet program standards in the care of mental health, developmentally disabled, and alcoholic residents, except that the department shall develop contracts which provide standards for programs and program staff.

(5) Not more than \$1,825,000 shall be expended for an inflationary increase in vendor rates.

(6) Not more than \$30,000 from state funds shall be expended for the continuation of the public assistance toll-free telephone service.

(7) Not more than \$6,090,000 shall be expended to provide increases in noncontinuing general assistance grants.

(8) Not more than \$14,701,000 (of which \$4,701,000 is to be from federal funds) shall be used to increase grant standards.

(9) Up to \$500,000 shall be expended exclusively to increase salaries for resident care nonprofessional employees in congregate care facilities.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE COMMUNITY SOCIAL SERVICES PROGRAM**

State Funding Sources . . . . .	\$	64,268,000
Federal Funding Sources . . . . .	\$	102,306,000
Total Funding Sources For Program . . . . .	\$	166,574,000
Total FTE Staff Years For Program . . . . .		3,380

**FAMILY AND CHILDRENS' SERVICES CATEGORY.**

General Fund Appropriation—State . . . . .	\$	50,086,000
General Fund Appropriation—Federal . . . . .	\$	52,868,000
Total Appropriation . . . . .	\$	102,954,000
Total FTE Staff Years . . . . .		2,017

**ADULT SERVICES CATEGORY.**

General Fund Appropriation—State . . . . .	\$	7,428,000
General Fund Appropriation—Federal . . . . .	\$	37,559,000
Total Appropriation . . . . .	\$	44,987,000
Total FTE Staff Years . . . . .		671

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation—State . . . . .	\$	30,000
General Fund Appropriation—Federal . . . . .	\$	1,450,000
Total Appropriation . . . . .	\$	1,480,000
Total FTE Staff Years . . . . .		41

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation—State . . . . .	\$	6,724,000
General Fund Appropriation—Federal . . . . .	\$	10,429,000
Total Appropriation . . . . .	\$	17,153,000
Total FTE Staff Years . . . . .		651

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

(1) Not more than \$5,564,000 (of which \$1,624,000 shall be federal funds) shall be expended for an inflationary increase in allowance and vendor rates.

(2) Not more than \$1,061,000, of which \$61,000 shall be from federal funds, shall be expended for an increase in the vendor rate for private child caring agencies: PROVIDED, That these funds shall not be expended until the department has developed a revised system for private child caring agencies which include:

- (a) The classification of children according to their needs;
- (b) The classification of facilities according to established program standards;
- (c) A reimbursement system which compensates facilities for services provided;
- (d) The development of program and fiscal operation standards; and
- (e) An audit capability to review the implementation of such program and fiscal operation standards.

(3) Not more than \$201,000 (of which \$181,000 shall be federal funds) and 12 FTE staff years shall be expended in the expansion of the Work Incentive (WIN) program.

(4) Not more than \$892,000 (of which \$612,000 shall be federal funds) and 41 FTE staff years shall be expended for workload and expansion increases in child protective services.

(5) Not more than \$881,000 (of which \$392,000 shall be federal funds) and 55 FTE staff years shall be expended for workload and expansion increases in foster care services.

(6) Not more than \$175,000 (of which \$126,000 shall be federal funds) and 15 FTE staff years shall be expended in workload and expansion increases within homemaker services.

(7) Not more than \$6,400,000 of federal funds shall be expended for the expansion of day care services resulting from passage of HR 12455 by the Congress of the United States.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MEDICAL ASSISTANCE PROGRAM**

State Funding Sources .....	\$ 171,077,000
Federal Funding Sources .....	\$ 136,293,000
Total Funding Sources For Program .....	\$ 307,370,000
Total FTE Staff Years For Program .....	785

**GENERAL MEDICAL ASSISTANCE CATEGORY.**

General Fund Appropriation—State .....	\$ 159,843,000
General Fund Appropriation—Federal .....	\$ 121,674,000
Total Appropriation .....	\$ 281,517,000

**PREVENTION OF BLINDNESS ASSISTANCE CATEGORY.**

General Fund Appropriation—State .....	\$ 1,608,000
General Fund Appropriation—Federal .....	\$ 1,315,000
Total Appropriation .....	\$ 2,923,000
Total FTE Staff Years .....	5

**ELIGIBILITY DETERMINATION CATEGORY.**

General Fund Appropriation—State .....	\$ 2,033,000
General Fund Appropriation—Federal .....	\$ 1,650,000
Total Appropriation .....	\$ 3,683,000
Total FTE Staff Years .....	254

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation—State .....	\$ 7,593,000
General Fund Appropriation—Federal .....	\$ 11,654,000
Total Appropriation .....	\$ 19,247,000
Total FTE Staff Years .....	526

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

(1) Not more than \$32,996,000 (of which \$12,698,000 is to be federal funds) shall be expended for an inflationary increase for hospital provider payments.

(2) Not more than \$3,706,000 (of which \$1,903,000 is to be federal funds) shall be expended for an inflationary increase for drug payments.

(3) Not more than \$11,119,000 (of which \$5,434,000 is to be federal funds) shall be expended for an inflationary increase in other vendor payments.

(4) Not more than \$566,000 (of which \$76,000 is to be federal funds) shall be expended for resuming general assistance for persons who are receiving training in the vocational rehabilitation program.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE PUBLIC HEALTH PROGRAM**

State Funding Sources .....	\$ 16,674,000
Federal Funding Sources .....	\$ 37,981,000
Other Funding Sources .....	\$ 358,000
Total Funding Sources For Program .....	\$ 55,013,000
Total FTE Staff Years For Program .....	729

**PERSONAL HEALTH IMPROVEMENT CATEGORY.**

General Fund Appropriation—State .....	\$ 7,009,000
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General Fund Appropriation—Federal .....	\$	15,998,000
General Fund Appropriation—Other .....	\$	358,000
Total Appropriation .....	\$	23,365,000
Total FTE Staff Years .....		388

**PATIENT CARE CATEGORY.**

General Fund Appropriation—State .....	\$	4,144,000
General Fund Appropriation—Federal .....	\$	2,623,000
Total Appropriation .....	\$	6,767,000
Total FTE Staff Years .....		36

**HEALTH SYSTEMS IMPROVEMENT CATEGORY.**

General Fund Appropriation—State .....	\$	4,056,000
General Fund Appropriation—Federal .....	\$	7,045,000
Total Appropriation .....	\$	11,101,000
Total FTE Staff Years .....		219

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation—State .....	\$	355,000
General Fund Appropriation—Federal .....	\$	12,037,000
Total Appropriation .....	\$	12,392,000
Total FTE Staff Years .....		28

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation—State .....	\$	1,110,000
General Fund Appropriation—Federal .....	\$	278,000
Total Appropriation .....	\$	1,388,000
Total FTE Staff Years .....		58

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

- (1) Not more than \$436,000 (of which \$248,000 is to be from federal funds) shall be expended to provide inflationary increases for Crippled Children's Service.
- (2) Not more than \$1,478,000 (of which \$1,388,000 is to be from federal funds) shall be expended for increases in family planning services.
- (3) Not more than \$206,000 (of which \$25,000 is to be from federal funds and \$181,000 is to be from local funds) shall be expended for the expansion of birth defect and metabolic disorder screening and testing.
- (4) Not more than \$230,000 and 6 FTE staff years shall be expended for expansion of the dental rinsing program for children.
- (5) Not more than \$705,000 (of which \$551,000 is to be from federal funds and \$154,000 is to be from local funds) shall be expended for the implementation of the Safe Drinking Water Act.
- (6) Not more than \$310,000 shall be expended for an inflationary and workload increase for kidney centers.
- (7) Not more than \$1,500,000 from federal funds shall be expended for the immunization programs.
- (8) Not more than \$200,000 from federal funds shall be expended for implementing a blood pressure control screening program.
- (9) Not more than \$355,000 shall be expended to continue the contract for purchase of research with the Fred Hutchinson Cancer Research Center.
- (10) Not more than \$861,000 (of which \$414,000 is to be from federal funds) and 14 FTE staff years shall be expended for the health planning function transferred from the planning and community affairs agency.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE VOCATIONAL REHABILITATION PROGRAM**

State Funding Sources .....	\$	6,818,000
Federal Funding Sources .....	\$	37,502,000
Other Funding Sources .....	\$	11,000
Total Funding Sources For Program .....	\$	44,331,000
Total FTE Staff Years For Program .....		775

**REHABILITATION SERVICES—GENERAL CATEGORY.**

General Fund Appropriation—State .....	\$	1,821,000
General Fund Appropriation—Federal .....	\$	27,081,000
Total Appropriation .....	\$	28,902,000
Total FTE Staff Years .....		532

**REHABILITATIVE FACILITIES AND SHELTERED WORKSHOPS—GENERAL CATEGORY.**

General Fund Appropriation—State .....	\$	3,543,000
General Fund Appropriation—Federal .....	\$	4,457,000
General Fund Appropriation—Other .....	\$	11,000
Total Appropriation .....	\$	8,011,000
Total FTE Staff Years .....		52

**REHABILITATIVE SERVICES FOR THE BLIND CATEGORY.**

General Fund Appropriation—State .....	\$	992,000
General Fund Appropriation—Federal .....	\$	3,376,000
Total Appropriation .....	\$	4,368,000
Total FTE Staff Years .....		112

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation—State .....	\$	147,000
General Fund Appropriation—Federal .....	\$	1,326,000
Total Appropriation .....	\$	1,473,000
Total FTE Staff Years .....		18

**PROGRAM SUPPORT CATEGORY.**

General Fund Appropriation—State .....	\$	315,000
General Fund Appropriation—Federal .....	\$	1,262,000
Total Appropriation .....	\$	1,577,000
Total FTE Staff Years .....		61

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) Not more than \$1,668,000 (of which \$1,422,000 shall be from federal funds) shall be expended for workload increases in case services in general rehabilitation and services for the blind.

(2) Not more than \$732,000 shall be expended to expand services for developmentally disabled clients in sheltered workshops.

(3) Not more than \$257,000 (of which \$206,000 is to be from federal funds) and 19 FTE staff years shall be expended for increased training and rehabilitative services for the blind.

(4) Not more than \$802,000 (of which \$722,000 is to be from federal funds) and 10 FTE staff years shall be expended for projects related to the severely disabled and other special projects.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE AND SUPPORT SERVICES PROGRAM**

State Funding Sources .....	\$	41,866,000
Federal Funding Sources .....	\$	35,080,000
Total Funding Sources For Program .....	\$	76,946,000
Total FTE Staff Years For Program .....		3,055

**EXECUTIVE DIVISION CATEGORY.**

General Fund Appropriation—State .....	\$	2,573,000
General Fund Appropriation—Federal .....	\$	1,017,000
Total Appropriation .....	\$	3,590,000
Total FTE Staff Years .....		165

**PERSONNEL CATEGORY.**

General Fund Appropriation—State .....	\$	2,285,000
General Fund Appropriation—Federal .....	\$	1,006,000
Total Appropriation .....	\$	3,291,000
Total FTE Staff Years .....		146

**ADMINISTRATIVE SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$	20,777,000
General Fund Appropriation—Federal .....	\$	15,576,000
Total Appropriation .....	\$	36,353,000
Total FTE Staff Years .....		1,745

**MANAGEMENT AND BUDGET CATEGORY.**

General Fund Appropriation—State .....	\$	6,968,000
General Fund Appropriation—Federal .....	\$	3,772,000
Total Appropriation .....	\$	10,740,000
Total FTE Staff Years .....		464

**PLANNING AND RESEARCH SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$	4,204,000
General Fund Appropriation—Federal .....	\$	2,132,000
Total Appropriation .....	\$	6,336,000
Total FTE Staff Years .....		305

**COMMUNITY SERVICES CATEGORY.**

General Fund Appropriation—State .....	\$	2,840,000
General Fund Appropriation—Federal .....	\$	1,264,000
Total Appropriation .....	\$	4,104,000
Total FTE Staff Years .....		158

**SPECIAL PROJECTS CATEGORY.**

General Fund Appropriation—Federal .....	\$	9,376,000
Total Appropriation .....	\$	9,376,000
Total FTE Staff Years .....		28

**ATTORNEY GENERAL CATEGORY.**

General Fund Appropriation—State .....	\$	2,219,000
General Fund Appropriation—Federal .....	\$	937,000
Total Appropriation .....	\$	3,156,000
Total FTE Staff Years .....		44

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

- (1) \$3,241,000 (of which \$2,400,000 is to be from federal funds) and 161 FTE staff years shall be expended for increased child support enforcement collections.
- (2) Not more than \$301,000 (of which \$125,000 is to be from federal funds) and 15 FTE staff years shall be expended for mandatory fair hearings workload increases.
- (3) Not more than \$478,000 (of which \$191,000 is to be from federal funds) and 26 FTE staff years shall be expended in the expansion of the auditing staff to completely audit each nursing home provider annually.

**NEW SECTION. Sec. 62A. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund—State and Local Improvements Revolving Account Reappropriation—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	15,064,000
General Fund Reappropriation—State .....	\$	17,100,000
General Fund Reappropriation—Federal .....	\$	14,100,000
Total Reappropriation .....	\$	46,264,000

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

- (1) The general fund—state and local improvements revolving account reappropriation—water supply facilities contained in this section shall be expended exclusively for municipal and industrial water supply and distribution facilities as provided for in chapter 1, Laws of 1977 1st ex. sess.

(2) The general fund reappropriation—state and the general fund reappropriation—federal shall be for medical services and supplies not in excess of the unexpended balance of the 1975–77 appropriations or allotments for such purpose. Within such amounts, the following programs shall be included:

(a) Mental health .....	\$	100,000
(b) Income maintenance .....	\$	300,000
(c) Community social service .....	\$	700,000
(d) Medical assistance .....	\$	30,100,000

**NEW SECTION. Sec. 63. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State .....	\$	10,483,000
General Fund Appropriation—Private/Local .....	\$	881,000
Total Appropriation .....	\$	11,364,000

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

- (1) The department shall maintain the contract field offices and the state operated field offices in Bremerton, Spokane and Aberdeen.

(2) Not more than \$104,000 and 6 FTE staff years shall be expended for additional nursing services at the veterans' home.

**NEW SECTION. Sec. 64. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$	4,250,000
General Fund Appropriation—Federal .....	\$	137,456,000
General Fund Appropriation—Private/Local .....	\$	253,000
Total Appropriation .....	\$	141,959,000

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

- (1) \$111,754,000 from federal funds shall be utilized for training and public service employment as provided by the Comprehensive Employment and Training Act (CETA), which may include:

- (a) Program for local service within the employment security department (not more than \$3,500,000); and
- (b) Juvenile institutional diversion programs within the department of social and health services (not more than \$1,000,000);

(2) Law Enforcement Assistance Administration (LEAA) funds shall be utilized for the following state projects:

- (a) Washington state patrol narcotics network—\$170,000;
- (b) The department of social and health services classification and work unit—\$2,027,000;
- (c) The department of social and health services intensive parole—\$559,000;
- (d) The board of prison terms and parole improved decision making—\$767,000;
- (e) The criminal justice training commission—\$2,100,000 (including \$600,000 as local share of LEAA funds), except that this amount may be withheld if chapter ... (SB 2418), Laws of 1977 1st ex. sess. becomes law with its provision for replacement funding;

(3) Not more than \$4,528,000 (of which \$3,704,000 is to be federal funds and \$253,000 is to be local funds) and 26 FTE staff years shall be expended for transportation functions within the community planning

program, except that these funds and staff shall be transferred to and expended by the department of transportation contingent upon chapter ... (SSB 2924 or SHB 718), Laws of 1977 1st ex. sess. becoming law.

(4) \$100,000 of the general fund appropriation—state shall be contingent upon chapter ... (SB 2108), Laws of 1977 1st ex. sess. becoming law.

(5) Not more than \$70,000 shall be expended for the office on voluntary action: PROVIDED, That such appropriation shall not extend beyond February 28, 1978: PROVIDED FURTHER, That a report be submitted from the office of program planning and fiscal management to the house of representatives standing committee on appropriations and the senate standing committee on ways and means, not later than January 1, 1978, on the utilization and effectiveness of the office on voluntary action and actual or potential duplication with activities of other state agencies.

**NEW SECTION. Sec. 65. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State .....	\$	2,431,000
General Fund Appropriation—Federal .....	\$	96,000
General Fund Appropriation—Local .....	\$	72,000
Total Appropriation .....	\$	2,599,000

**NEW SECTION. Sec. 66. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Accident Fund Appropriation .....	\$	1,163,000
Medical Aid Fund Appropriation .....	\$	1,163,000
Total Appropriation .....	\$	2,326,000

**NEW SECTION. Sec. 67. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund Appropriation .....	\$	100,000
General Fund—Criminal Justice Training Account Appropriation .....	\$	2,180,000
Total Appropriation .....	\$	2,280,000

**NEW SECTION. Sec. 68. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State .....	\$	6,180,000
General Fund Appropriation—Federal .....	\$	100,000
Accident Fund Appropriation .....	\$	22,658,000
Medical Aid Fund Appropriation .....	\$	20,621,000
Plumbing Certificate Fund Appropriation .....	\$	125,000
Electrical License Account Appropriation .....	\$	4,394,000
Total Appropriation .....	\$	54,078,000

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

(1) Not more than \$928,000 (\$788,000 from accident funds and \$140,000 from medical aid funds) and 44 FTE staff years shall be expended within the Safety Inspection and Education program to provide for additional safety inspections.

(2) Not more than 66 FTE staff years shall be expended within the Building and Construction Safety program to provide additional certification and inspection capability.

(3) The Automated Records Management System (ARMS) shall remain at its present level of hardware implementation.

**NEW SECTION. Sec. 69. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation .....	\$	1,539,000
Total Appropriation .....	\$	1,539,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$6,000 shall be expended for increasing the attorney fee schedule for indigent representation.

**NEW SECTION. Sec. 70. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—Federal .....	\$	708,000
General Fund—Hospital Commission Account Appropriation .....	\$	609,000
Total Appropriation .....	\$	1,317,000

The appropriation contained in this section shall be subject to the following condition or limitation: No more than \$708,000 from federal funds shall be expended for the establishment and implementation of the manner in which hospitals shall be reimbursed under the Prospective Reimbursement Demonstration program as defined by contract with the Social Security Administration, DHEW, dated October 1, 1976.

**NEW SECTION. Sec. 71. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State .....	\$	3,593,000
General Fund Appropriation—Federal .....	\$	225,000
Unemployment Compensation Administration Fund Appropriation—Federal .....	\$	88,923,000
Administrative Contingency Fund Appropriation .....	\$	400,000
Total Appropriation .....	\$	93,141,000

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

(1) Not more than \$63,000 and 4 FTE staff years shall be expended to bring the department into compliance with state accounting requirements.

(2) The department is directed to develop an integrated method of accounting which will fulfill the requirements of both the federal government and the state government without unnecessary duplication.

(3) Not more than \$3,200,000 shall be expended to continue the work orientation program, including employment orientation, ex-offender, career change, and severely disabled/mentally retarded. The department shall contract for the programs. Contracts awarded under this subsection shall contain performance specifications and financial penalties to the contractor for nonperformance. The contracting process shall stress past performance by potential contractors in the implementation of these programs. A legislative review committee comprised of the majority and minority leaders of both houses, the chairman of the appropriations committee of the house, and the chairman of the ways and means committee of the senate shall be created to audit the performance of the programs and contracting agencies. A report on the performance of the program shall be made to the legislature no later than January 1, 1978, and January 1, 1979.

**NEW SECTION, Sec. 72. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State .....	\$	738,000
General Fund Appropriation—Federal .....	\$	1,335,000
Total Appropriation .....	\$	2,073,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$500,000 of this appropriation shall be used as matching funds for energy-related studies as determined by the House and Senate Energy and Utilities Committees.

**NEW SECTION, Sec. 73. FOR THE OCEANOGRAPHIC COMMISSION**

General Fund Appropriation .....	\$	210,000
Total Appropriation .....	\$	210,000

**NEW SECTION, Sec. 74. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation .....	\$	4,000
Total Appropriation .....	\$	4,000

**NEW SECTION, Sec. 75. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State .....	\$	15,795,000
General Fund Appropriation—Federal .....	\$	9,149,000
General Fund Appropriation—Private/Local .....	\$	69,000
General Fund—Reclamation Revolving Account Appropriation .....	\$	541,000
General Fund—Litter Control Account Appropriation .....	\$	2,989,000
Stream Gaging Basic Data Fund Appropriation .....	\$	180,000
General Fund—Special Grass Seed Burning Research Account Appropriation—State .....	\$	20,000
General Fund—State Emergency Water Projects Revolving Account Appropriation .....	\$	11,000,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26) .....	\$	108,329,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	26,593,000
Total Appropriation .....	\$	174,665,000

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

(1) Not more than \$1,132,000 in state funds from the appropriations contained herein shall be expended by the department for matching purposes for activated air pollution control authorities. If such authorities do not expend an equal amount to match such funds during the 1977-79 biennium, then such unmatched, unexpended state funds shall be available to the department.

(2) Not more than \$1,451,000 from federal air pollution control grant funds shall be made available to activated air pollution control authorities in the state as directed by the federal environmental protection agency.

(3) \$210,000 of the general fund appropriation—state shall be expended within the field operations program for the Washington state conservation commission for ongoing commission staff functions, including those responsibilities related to the implementation phase of Section 208, P.L. 92-500, the Federal Clean Water Act.

(4) Not more than \$1,053,000 from the litter control account appropriation shall be available to supervise and hire personnel for a Youth Corps Litter Pick-Up Program.

(5) On or before October 1, 1977, the department of ecology shall file with the ways and means committee of the senate and the appropriations committee of the house of representatives a master compilation by project type of those projects proposed for funding during the 1977-79 biennium from the appropriations for waste disposal facilities and municipal and industrial water supply facilities. The department shall submit updates for the master compilation to such committees at six month intervals during the 1977-79 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering such projects. If the department proposes to change or modify any project list on the master compilation, it shall give the senate ways and means committee and the house appropriations committee thirty days written notice of such change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall inform such committees as soon as practicable of emergent federal action which has any effect whatsoever on the appropriations for waste disposal facilities and water supply facilities.



(6) The appropriation from the state and local improvements revolving account—municipal and industrial water supply facilities may be expended to pay up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may loan up to one hundred percent of the eligible costs of preconstruction activities and the department may provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) The appropriation from the state and local improvements revolving account—waste disposal facilities may be expended by the department to pay for up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is hereby authorized to provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(8) No moneys provided herein shall be utilized until the director of the department delegates the sole and complete responsibility for administration of the state's National Pollutant Discharge Elimination System's permit program to the deputy or an assistant director of the department; and the director is authorized to so delegate.

#### NEW SECTION. Sec. 76. FOR THE POLLUTION CONTROL HEARINGS BOARD

General Fund Appropriation .....	\$	499,000
Total Appropriation .....	\$	499,000

#### NEW SECTION. Sec. 77. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

General Fund Appropriation—State .....	\$	347,000
General Fund Appropriation—Private/Local .....	\$	968,000
Total Appropriation .....	\$	1,315,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) \$15,000 of the general fund appropriation—state shall be expended only for the costs of processing petitions or grievances filed pursuant to provisions of site certification agreements.

(2) The general fund appropriation—private/local shall be expended for direct application processing costs and inspection and determinations relative to monitoring the effects of construction and operation of a facility. \$232,185 may only be expended if SB 2910 or similar legislation is enacted into law authorizing the charging of applicants for direct application processing costs. The council shall submit a report to the senate ways and means committee and the house of representatives appropriations committee no later than January 1, 1979, on costs incurred and charged to applicants or certificate holders for direct application processing or surveillance monitoring costs during fiscal year 1978.

#### NEW SECTION. Sec. 78. FOR THE SHORELINES HEARING BOARD

General Fund Appropriation .....	\$	45,000
Total Appropriation .....	\$	45,000

#### NEW SECTION. Sec. 79. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State .....	\$	19,390,000
General Fund Appropriation—Federal .....	\$	463,000
General Fund—Trust Land Purchase Account Appropriation .....	\$	5,985,000
Motor Vehicle Fund Appropriation .....	\$	725,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	70,000
General Fund—State and Local Improvement Revolving Account Appropria- tion—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. ....	\$	842,000
Total Appropriation .....	\$	27,475,000

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) The commission shall make no contractual agreements or receive any donation of real property or an interest therein which commits the commission to either assuming on a current basis or to requesting funds at a future time for operating, development, or acquisition costs without prior approval of the legislative budget committee or the senate ways and means committee and house appropriations committee if the legislature is in session.

(2) \$110,000 shall be expended within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(3) Not more than \$15,000 shall remain unexpended for the contingent purpose of making a grant to the Port of Skagit County in the event that the planned operation of the historical railroad from Sedro Woolley to Concrete is not fully self-supporting in the first year of the operation.

(4) \$32,000 shall be expended exclusively for implementation of ESB 3002, only if ESB 3002 becomes law.

(5) For transfer to the state general fund an amount up to \$3,200,000 in excess of the cash requirements in the trust land purchase account, as determined by the office of program planning and fiscal management.

(6) The commission is authorized to transfer up to \$225,000 of the trust land purchase account appropriation to the department of natural resources and in return the department of natural resources is authorized to transfer approximately 147 acres of state forest lands, including timber adjacent to Sequest state park, to the commission and the department of natural resources shall expend the amount so transferred to acquire replacement forest lands in Cowlitz county.

**NEW SECTION. Sec. 80. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation .....	\$	16,193,000
Total Appropriation .....	\$	16,193,000

The appropriation contained in this section shall be subject to the following condition or limitation:

Not more than \$871,000 of the Outdoor Recreation Account Appropriation shall be expended for administration.

**NEW SECTION. Sec. 81. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$	3,067,000
General Fund Appropriation—Federal .....	\$	32,000
Motor Vehicle Fund Appropriation .....	\$	305,000
Total Appropriation .....	\$	3,404,000

The appropriations contained in this section shall be subject to the following condition or limitation: No funds shall be expended for the Nuclear Energy Development program.

**NEW SECTION. Sec. 82. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State .....	\$	23,410,000
General Fund Appropriation—Federal .....	\$	3,824,000
General Fund Appropriation—Private/Local .....	\$	1,168,000
General Fund—Lewis River Hatchery Account Appropriation .....	\$	27,000
Vessel, Gear, License, and Permit Reduction Fund Appropriation .....	\$	3,500,000
Total Appropriation .....	\$	31,929,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$300,000 of the general fund appropriation—state shall be expended within the salmon program for additional hatchery maintenance at existing department facilities.

**NEW SECTION. Sec. 83. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation .....	\$	42,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	141,000
Game Fund Appropriation—State .....	\$	18,765,000
Game Fund Appropriation—Federal .....	\$	7,924,000
Game Fund Appropriation—Private/Local .....	\$	813,000
Game Fund—Special Wildlife Account Appropriation .....	\$	142,000
Total Appropriation .....	\$	27,827,000

**NEW SECTION. Sec. 84. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State .....	\$	15,228,000
General Fund Appropriation—Federal .....	\$	2,293,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation .....	\$	845,000
General Fund—Resource Management Cost Account Appropriation .....	\$	34,075,000
General Fund—Forest Development Account Appropriation .....	\$	9,582,000
General Fund—State Timber Reserve Account Appropriation .....	\$	2,389,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	1,228,000
Total Appropriation .....	\$	65,640,000

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

(1) Not more than \$50,000 shall be expended exclusively for conversion to the personnel/payroll system.

(2) All federal funds received by the department of natural resources shall be placed in the general fund—federal with the exception of federal funds received for the private forestry assistance and regulation program.

(3) If more than \$180,000 in Clark McNary funds are received for the private forestry assistance and regulation program a like amount of general fund moneys shall be placed in reserve.

(4) \$1,000,000 of the general fund—state appropriation shall be expended exclusively for emergency forest fire suppression. Such funds shall also be available for interfund loans with the landowners forest fire suppression account.

(5) The recreation program shall be split into two elements for accounting and allotment purposes: Maintenance and capital enhancement.

(6) \$230,000 of the general fund appropriation—state shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*), knapweed (*centaurea L.*), and bindweed (*convulvulus*). The department shall provide a one-third state share for problem areas to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares, and not to exceed \$30,000 for cooperative studies for control, demonstration plots, application rates, and timing, with the Department of Forestry and Range Management at Washington State University.

(7) \$1,873,000 (of which \$97,000 shall be from the forest development account appropriation, and \$737,000 shall be from the resource management cost account appropriation) shall be expended within the

forest rehabilitation program for the operation of the Clearwater, Larch Mountain, Indian Ridge, and Northern State Hospital (Douglas Hall) honor camps.

**NEW SECTION, Sec. 85. FOR THE FOREST PRACTICES APPEALS BOARD**

General Fund Appropriation .....	\$	67,000
Total Appropriation .....	\$	67,000

**NEW SECTION, Sec. 86. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State .....	\$	6,491,000
Commercial Feed Fund Appropriation .....	\$	269,000
General Fund—Feed and Fertilizer Account Appropriation .....	\$	15,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation .....	\$	269,000
Nursery Inspection Fund Appropriation .....	\$	232,000
Seed Fund Appropriation .....	\$	617,000
Grain and Hay Inspection Fund Appropriation .....	\$	6,602,000
Total Appropriation .....	\$	14,495,000

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

(1) \$160,000 of the general fund appropriation—state shall be expended by the department for its one-third share for the special tansy ragwort control program in conjunction with those county noxious weed control boards which have placed tansy ragwort on their noxious weed list. Continued state expenditures are conditioned on the continuation of payment of an equal one-third share by participating county noxious weed control boards and individual landowners. No county noxious weed control board or individual landowners shall be eligible for the state's one-third share unless such board or landowner has developed a range management program approved by the department in cooperation with the appropriate local or other agency responsible for said conservation. \$20,000 of the \$160,000 shall be expended in cooperation with Washington State University for completion of research into the poisonous properties of tansy ragwort (*Senecio-Jacobaea*).

(2) \$150,000 of the general fund appropriation—state shall be expended within the seed branch division for the purpose of maintaining seed certification activities.

(3) \$10,000 of the general fund appropriation—state shall be expended for the continued implementation of the starling control program.

**NEW SECTION, Sec. 87. FOR THE AERONAUTICS COMMISSION**

General Fund Appropriation—State .....	\$	93,000
General Fund—Search and Rescue Account Appropriation .....	\$	48,000
General Fund—Aeronautics Account Appropriation .....	\$	740,000
Total Appropriation .....	\$	881,000

**NEW SECTION, Sec. 88. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

General Fund—Puget Sound Pilotage Account Appropriation .....	\$	8,000
Total Appropriation .....	\$	8,000

**NEW SECTION, Sec. 89. FOR THE STATE PATROL**

General Fund Appropriation—State .....	\$	7,957,000
General Fund Appropriation—Federal .....	\$	170,000
Motor Vehicle Fund Appropriation .....	\$	56,616,000
Total Appropriation .....	\$	64,743,000

**NEW SECTION, Sec. 90. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION**

Highway Safety Fund Appropriation .....	\$	7,000
Total Appropriation .....	\$	7,000

**NEW SECTION, Sec. 91. FOR THE TRAFFIC SAFETY COMMISSION**

Highway Safety Fund Appropriation—State .....	\$	271,000
Highway Safety Fund Appropriation—Federal .....	\$	3,940,000
Total Appropriation .....	\$	4,211,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$110,000 shall be expended exclusively for a grant to the city of Bremerton to provide additional supplemental salaries and equipment as may be required because of the impact of the Trident Submarine Support Base upon the city's current and future needs for traffic control, public safety, law enforcement, prosecutorial and municipal court services.

**NEW SECTION, Sec. 92. FOR THE DEPARTMENT OF MOTOR VEHICLES**

General Fund Appropriation .....	\$	5,232,000
General Fund—Architect's License Account Appropriation .....	\$	117,000
General Fund—Commercial Automobile Driver Training School Account Appropriation .....	\$	3,000
General Fund—Optician's Account Appropriation .....	\$	23,000
General Fund—Optometry Account Appropriation .....	\$	57,000
General Fund—Professional Engineer's Account Appropriation .....	\$	359,000
General Fund—Real Estate Commission Account Appropriation .....	\$	1,828,000
General Fund—Sanitarian's Licensing Account Appropriation .....	\$	13,000
General Fund—Board of Psychological Examiners Account Appropriation .....	\$	28,000

Game Fund Appropriation .....	\$	74,000
Highway Safety Fund Appropriation .....	\$	19,483,000
Motor Vehicle Fund Appropriation .....	\$	17,452,000
Total Appropriation .....	\$	44,669,000

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

(1) Not more than \$70,000 of the general fund appropriation shall be expended for the dental disciplinary board.

(2) \$350,000 of the general fund appropriation shall be contingent upon chapter ... (SHB 120), Laws of 1977 1st ex. sess. becoming law.

**NEW SECTION. Sec. 93. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund Appropriation .....	\$	172,000
Total Appropriation .....	\$	172,000

**NEW SECTION. Sec. 94. K-12 PROGRAM**

The appropriations contained in sections 95 through 109 of this act shall be subject to the following conditions and limitations:

(1) No funds shall be transferred from appropriations contained within sections 96 through 109 of this act to supplement funds appropriated for the purpose of section 95 of this act.

(2) No funds shall be expended directly or indirectly for purposes of advancing the development of occupational skill centers not operated in conjunction with a community college or Vocational-Technical Institute. Operations of skill centers in existence or those which have had their capital funds approved on the effective date of this act may be continued.

(3) The superintendent shall have the authority to transfer one percent of the funds appropriated in sections 96 and 97 of this act for the respective purposes of those sections.

(4) The state board of education shall restore all educational service district boundaries as they existed prior to September 1, 1976.

(5) It is the intent of the legislature to meet its obligation as set forth in Article IX, section 1 of the state Constitution, and in the superior court decision in the case of Seattle School District vs. the state of Washington. The appropriation contained in this section shall serve as the first step in this commitment by the legislature to phase in full funding of basic education so that for the 1980-81 school year and thereafter, the state will assume the full responsibility of funding basic education.

(6) For the purposes of sections 96 through 109 of this act, compensation includes benefits, and benefits are defined as seven percent of the district average salary for certificated staff and fourteen percent of the district average salary for classified staff.

**NEW SECTION. Sec. 95. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State .....	\$	9,644,000
General Fund Appropriation—Federal .....	\$	5,333,000
General Fund—Traffic Safety Education Account Appropriation .....	\$	313,000
Total Appropriation .....	\$	15,290,000

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

(1) Not more than \$313,000 shall be expended for state office administration of the traffic safety education program.

(2) The superintendent may contract for services relating to proprietary educational clinics as an alternative education program for high school dropouts for not more than \$425,000 from funds appropriated by this section. The superintendent shall adopt rules and regulations to carry out the provisions of this section.

(3) The office of the superintendent of public instruction shall review the information required of local school districts by the superintendent and shall place priority on consolidation of reports and reducing collection of unnecessary information. Further attention shall be directed to insure the most efficient and economical means of collecting information from local school districts.

**NEW SECTION. Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—GENERAL APPORTIONMENT FOR FISCAL YEAR 1978**

General Fund Appropriation:		
For General Apportionment .....	\$	670,100,000
Total Appropriation .....	\$	670,100,000

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

(1) Of the appropriation contained in this section the superintendent is hereby authorized to distribute up to \$33,000,000 for compensation including benefit increases for certificated and classified staff in the common schools starting September 1, 1977. For the purpose of distributing these funds, the superintendent of public instruction shall determine the state maximum school district average compensation level including benefits for certificated staff for the 1976-77 school year and the state maximum school district average compensation level including benefits for classified staff for the 1976-77 school year.

Such state maximum compensation levels including benefits increased by four percent shall be the 'maximum control levels' for certificated and classified staff for the purposes of this section.

For the purpose of distributing these funds for the 1977-78 school year, each school district shall receive average compensation level including benefit increases for certificated and classified staff respectively as follows:

- (a) Those school districts whose district average compensation level including benefits is above the state average compensation level including benefits for 1976-77, shall receive a six percent increase above the 1976-77 average compensation level including benefits: PROVIDED, That no district shall receive an increase which would raise average compensation levels including benefits above the 'maximum control level' so defined.
- (b) Those school districts whose district average compensation level including benefits is below the state average compensation level including benefits for 1976-77, shall receive a nine percent increase above the 1976-77 average compensation levels up to an amount not to exceed six percent above the state average compensation level including benefits for 1976-77.

(2) The superintendent of public instruction is hereby authorized to direct from the moneys available for distribution pursuant to and under the conditions of subsection (1) of this section, such funds as may be necessary to grant salary increases for certificated and classified employees funded through state funded categorical programs including Educational Service Districts.

(3) Compensation including benefit increases for classified and certificated staff supported by federal programs or traffic safety education funds shall be subject to the conditions of subsection (1) of this section and paid from the respective revenue source.

(4) The weighting schedule used by the superintendent of public instruction during the 1977-78 fiscal year in computing the apportionment of funds for each school district shall be based on the following factors:

- (a) A base weighting factor of 1.0 for each full time equivalent student enrolled;
- (b) An additional weighting factor of 1.0 for each full time equivalent student enrolled in vocational education in grades 9-12 which is approved by the superintendent of public instruction;
- (c) Continuation of the weighting factors used by the superintendent of public instruction for the purpose of reimbursement to each school district for costs resulting from staff education and experience greater than the minimum requirements. The superintendent of public instruction shall employ the staff characteristic factor of the respective local districts established in the immediately preceding school year for purposes of distribution during the 1977-78 fiscal year;
- (d) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for school districts enrolling not more than 250 full time equivalent students in grades 9-12;
- (e) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for nonhigh school districts enrolling not more than 100 full time equivalent students which districts have been judged to be remote and necessary by the state board of education;
- (f) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for small school plants which are judged remote and necessary within any school district by the state board of education;
- (g) An additional weighting factor for a period of not more than four years, for any consolidated school district formed after July 1, 1971, equal to the additional weighting factor in effect in each qualifying district during the school year immediately preceding consolidation, which district consists of one or more former school districts which were either remote and necessary or which contained not more than 250 students in grades 9-12;
- (h) An additional weighting factor of 0.25 for full time equivalent students residing on tax exempt property as set forth in RCW 28A.41.140(6)(b) or (c); and
- (i) An additional weighting factor of 0.25 for full time equivalent students in an approved interdistrict cooperative program as authorized by RCW 28A.41.140(6)(a) and 28A.58.075.

(5) During the 1977-78 school year the superintendent of public instruction shall distribute not more than \$1,627,000 of the funds appropriated by this section, outside of the apportionment formula to school districts of which \$480,000 shall be for the following purposes:

- (a) To pay fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by the provisions of RCW 52.36.020 by the expenditure of not more than \$280,000;
- (b) To pay for school district emergencies by the expenditure of not more than \$200,000.

**NEW SECTION. Sec. 97. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
BASIC EDUCATION ALLOCATION FOR FISCAL YEAR 1979**

General Fund Appropriation .....	\$ 770,674,000
Total Appropriation .....	\$ 770,674,000

The appropriation contained in this section shall be subject to the following conditions and limitations:  
 (1) The allocation of moneys for a basic education allocation per annual average full time equivalent student for the 1978-79 school year in each school district shall be determined by the superintendent of public instruction as follows: PROVIDED, That such basic education allocation so determined shall be converted and distributed on an annual average full time equivalent student basis:

- (a) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual twenty-three and one-half full time equivalent kindergarten, elementary, and secondary students;
- (b) Respecting certificated employees: A numerical allocation of one certificated staff unit shall be established for each average annual nineteen and six-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction;
- (c) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts enrolling not more than one hundred average annual full time equivalent students and for small school plants within any school district, which such districts or small plants have been judged to be remote and necessary by the state board of education as follows:
  - (i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, two and one-half certificated staff units;
  - (ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty-three and one-half annual average full time equivalent students;
  - (iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, eighty-five hundredths certificated staff unit;
  - (iv) For grades 7 and 8, for enrollments above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty-three and one-half annual average full time equivalent students.
- (d) Respecting certificated employees: Numerical allocations of certificated staff units shall be established for districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students as follows:
  - (i) Eight and one-tenth certificated staff units for the first sixty annual average full time equivalent students;
  - (ii) Additional certificated staff units based upon a ratio of eighty-five hundredths certificated staff unit per forty-three and one-half average annual full time equivalent students.
- (e) Compensation including benefits shall be calculated as herein provided for certificated staff units generated in subsections (a) through (d) above as follows:
  - (i) For the purposes of this subsection each district's 1977-78 average compensation level including benefits shall mean such district's 1976-77 average compensation including benefits increased pursuant to section 96(1) of this act. 'Maximum control levels' shall mean the 'maximum control levels' established in section 96(1) of the act increased by four percent;
  - (ii) Compensation including benefits for those school districts whose 1977-78 average certificated compensation level including benefits is above the 1977-78 state average compensation level including benefits will be calculated on the basis of the 1977-78 district average compensation level including benefits increased by six percent: PROVIDED, That no district shall receive in excess of the 'maximum control level'.
  - (iii) Compensation including benefits for those school districts whose 1977-78 average certificated compensation level including benefits is below the 1977-78 state average compensation level including benefits will be calculated by utilizing the 1977-78 district average compensation level including benefits increased by nine percent up to an amount not to exceed a six percent for any school district above the state average: PROVIDED, That for such districts the superintendent of public instruction shall utilize, pursuant to the provisions of section 4, chapter ... (SHB 1086), Laws of 1977 1st ex. sess., the actual 1977-78 compensation level including benefits for the purpose of calculating the entitlement for compensation including benefits increases as provided for in this subsection.
- (f) The total basic education allocation for certificated employees shall be established for each district by using the salary determinations established in subsection (e) above multiplied by the numerical allocations determined in subsections (a), (b), (c), and (d) above.
- (g) Respecting classified employees: A numerical allocation of one classified staff unit for each three certificated staff units as computed for the purposes of subsections (a), (c) and (d) above for each school district shall be established. Compensation including benefits shall be calculated as herein provided for classified staff units generated in this subsection as follows:
  - (i) For the purposes of this subsection each district's 1977-78 average compensation levels including benefits shall mean such district's 1976-77 average compensation including benefits increased pursuant to section 96(1) of this act. 'Maximum control levels' shall mean the 'maximum control levels' established in section 96(1) of this act increased by four percent;

- (ii) Compensation including benefits for those school districts whose 1977-78 average classified compensation level including benefits is above the 1977-78 state average compensation level including benefits will be calculated on the basis of the 1977-78 district average compensation level including benefits increased by six percent: PROVIDED, That no district shall receive in excess of the 'maximum control level'.
- (iii) Compensation including benefits for those school districts whose 1977-78 average classified compensation level including benefits is below the 1977-78 state average compensation level including benefits will be calculated by utilizing the 1977-78 district average compensation level including benefits increased by nine percent up to an amount not to exceed a six percent for any school district above the state average: PROVIDED, That for such districts the superintendent of public instruction shall utilize, pursuant to the provisions of section 4, chapter... (SHB 1086), Laws of 1977 1st ex. sess., the actual 1977-78 compensation level including benefits for the purpose of calculating the entitlement for compensation including benefits increases as provided for in this subsection.
- (h) The total basic education allocation for classified employees shall be established for each district by using the salary determination referred to in subsection (g) above multiplied by the numerical allocation established in subsection (g) above. In addition, each school district shall receive as part of the basic education allocation, for classified employee benefits, an amount to reimburse such district for their payments to the old-age and survivors insurance system embodied in the social security act, for employee retirement, industrial insurance, or any other benefit program mandated by the legislature for their classified staff units.
- (i) Respecting nonemployee related costs: The allocation of additional moneys for nonemployee related costs for 1978-79 school year shall utilize the number of certificated staff units as computed for the purposes of subsections (a), (c), and (d) above, multiplied by \$3,650 for each such certificated staff unit.

(2) Not more than \$6,601,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1978-79 school year from the 1977-78 base enrollment level, the Superintendent of Public Instruction shall distribute funds based on certificated staff units in the 1978-79 school year to such districts on the basis of the 1978-79 enrollment plus one-half the amount of the enrollment decline from the 1977-78 level. The superintendent of public instruction in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or 300 full time equivalent students, whichever is less, from the immediately preceding year, shall increase the enrollment as otherwise herein computed by fifty percent of the full time equivalent pupil enrollment loss from the previous year.

(3) Of the appropriation contained in this section the superintendent is hereby authorized to distribute up to \$11,096,000 for salary increases for certificated and classified staff in the state funded categorical programs including Educational Service Districts as of September 1, 1978. The superintendent shall determine the salary increase pursuant to the conditions in subsections (e) and (g) above.

(4) Salary increases for classified and certificated staff supported by federal programs or traffic safety education funds shall be subject to the conditions of subsections (e) and (g) and paid from the respective revenue source.

(5) To implement the provisions of chapter ... (SHB 480), Laws of 1977 1st ex. sess., \$600,000 shall be made available from this appropriation with any additional funds that should be required to implement the provision of chapter ... (SHB 480), Laws of 1977 1st ex. sess., coming from local or federal funds.

(6) The superintendent shall insure that in implementing the provisions of this section no school district shall receive fewer state dollars per annual average full time equivalent student than it received under the provisions of section 96 of this act.

(7) During the 1978-79 school year the superintendent of public instruction shall distribute not more than \$7,773,000 of the funds appropriated by this section, outside of the basic education allocation to school districts, of which \$530,000 shall be for the following purposes: To pay fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by the provisions of RCW 52.36.020 by the expenditure of not more than \$280,000; To pay for school district emergencies by the expenditure of not more than \$250,000.

**NEW SECTION. Sec. 98. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—**

**FOR PUPIL TRANSPORTATION**

General Fund Appropriation .....	\$ 87,553,000
Total Appropriation .....	\$ 87,553,000

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

(1) The appropriation contained in this section shall be expended exclusively for transportation of students 'to and from' public schools and/or to approved learning centers and shall be expended in accordance with the provisions of chapter 392-141 WAC as such chapter exists on the effective date of this act. Sufficient funds are provided to reimburse school districts at a rate not to exceed 85 percent during the first year of the biennium and at a rate not to exceed 90 percent during the second year of the biennium: PROVIDED, That the superintendent shall make such reimbursements only to the extent necessary to reach the funding levels herein provided. Any portion of this appropriation not required to fund the respective reimbursement levels shall be placed in reserve and revert to the general fund at the end of each respective fiscal year.

(2) The superintendent shall distribute not more than \$415,000 for regional transportation coordinators.

**NEW SECTION, Sec. 99. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation .....	\$ 28,375,000
Total Appropriation .....	\$ 28,375,000

The appropriation contained in this section shall be subject to the following condition or limitation: The superintendent shall distribute not less than 5 percent of this total appropriation exclusively for the purchase of instructional equipment. The superintendent shall recognize the differences among the programs at the vocational-technical institutes in distributing funds for instructional equipment: PROVIDED, That such distribution shall be exclusively for the support of core curriculum programs.

**NEW SECTION, Sec. 100. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State .....	\$ 4,941,000
General Fund Appropriation—Federal .....	\$ 55,199,000
Total Appropriation .....	\$ 60,140,000

**NEW SECTION, Sec. 101. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR HANDICAPPED EXCESS COSTS**

General Fund Appropriation—State .....	\$ 80,208,000
General Fund Appropriation—Federal .....	\$ 12,594,000
Total Appropriation .....	\$ 92,802,000

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

(1) The number of students receiving special education for learning language disabilities shall be increased from 1.5 percent to 1.75 percent of the total student enrollment during the 1977-78 school year.

(2) The number of students receiving special education for learning language disabilities shall be increased from 1.75 percent to 2.0 percent of the total student enrollment during the 1978-79 school year.

(3) Handicapped program categories are budgeted for on the student-teacher ratios provided for by the rules and regulations adopted by the superintendent of public instruction with the exception of resource rooms which are budgeted for on a ratio of 35 students to 1 teacher.

(4) Federal funds appropriated by this section shall be for the purpose of program improvement.

(5) The superintendent shall distribute not more than \$75,000 for implementation of the eye safety program.

(6) The superintendent shall distribute not more than \$36,000 for continuation of the program to instruct teachers and school nurses in the techniques for recognizing and caring for epileptic students.

**NEW SECTION, Sec. 102. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation .....	\$ 12,436,000
Total Appropriation .....	\$ 12,436,000

The appropriation contained in this section shall be subject to the following condition or limitation: School districts shall place first priority on reducing the participation fee charged to students for receiving traffic safety education from any increased reimbursement percentage received pursuant to this section.

**NEW SECTION, Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation .....	\$ 5,894,000
General Fund—Traffic Safety Education Account Appropriation .....	\$ 330,000
Total Appropriation .....	\$ 6,224,000

The appropriations contained in this section shall be subject to the following condition or limitation: \$250,000 of the general fund appropriation shall be for Cispus Environmental learning center for fiscal year 1978. Prior to November 15, 1977, the office of program planning and fiscal management shall submit a report to the governor, the house appropriations committee, and the senate ways and means committee analyzing the present usage of Cispus. The report shall contain but not be limited to the following information: A five year fiscal and program analysis on the maintenance and operation of continuing Cispus as an environmental learning center, and alternative uses for Cispus with a five year fiscal and program analysis of each alternative use.

**NEW SECTION, Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR URBAN RURAL RACIAL DISADVANTAGED PROGRAMS**

General Fund Appropriation .....	\$ 9,980,000
Total Appropriation .....	\$ 9,980,000

**NEW SECTION, Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State .....	\$ 10,864,000
General Fund Appropriation—Federal .....	\$ 3,654,000
Total Appropriation .....	\$ 14,518,000

The appropriation contained in this section shall be sufficient to provide educational programs for a 220 day school year.



**NEW SECTION. Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation .....	\$	979,000
Total Appropriation .....	\$	979,000

**NEW SECTION. Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER FOR MATHEMATICS AND SCIENCE EDUCATION  
SERVICES TO BE PROVIDED PUBLIC SCHOOL STUDENTS AND TEACHERS**

General Fund Appropriation .....	\$	261,000
Total Appropriation .....	\$	261,000

The appropriation contained in this section shall be subject to the following condition or limitation: It shall be expended exclusively for the purpose of implementing the contract for educational services between the Pacific Science Center and the superintendent of public instruction. The transfer of title to the astronomy education facility and equipment to the Pacific Science Center Foundation or its successor shall be at such time as the value of educational services provided to public school students and teachers exceeds the costs reimbursed by the superintendent of public instruction and participating school districts by an amount equivalent to at least the cost to the superintendent of public instruction for the construction and acquisition of such facility and equipment.

**NEW SECTION. Sec. 107A. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR GIFTED SPECIAL PROGRAMS**

General Fund Appropriation .....	\$	986,000
Total Appropriation .....	\$	986,000

The appropriation contained in this section shall be subject to the following condition or limitation: For the 1977-79 biennium the superintendent shall contract \$178,000 of this appropriation for services to support an approved gifted program to be conducted at Fort Worden state park.

**NEW SECTION. Sec. 107B. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE STATE-WIDE DATA PROCESSING PROGRAM**

General Fund Appropriation .....	\$	828,000
Total Appropriation .....	\$	828,000

**NEW SECTION. Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal .....	\$	72,728,000
Total Appropriation .....	\$	72,728,000
Elementary and Secondary Education Act of 1965 .....	\$	68,356,000
Education of Indian Children .....	\$	1,800,000
Adult Basic Education .....	\$	2,572,000

**NEW SECTION. Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal .....	\$	24,007,000
Total Appropriation .....	\$	24,007,000

**NEW SECTION. Sec. 110. COMMUNITY COLLEGE EDUCATION.** The appropriations contained in sections 111 through 116 of this act shall be subject to the following conditions and limitations:

(1) The base system-wide formula funding levels included in the appropriations made in sections 111 through 116 of this act for each year of the biennium are:

- (a) Student services program—55.8% of formula entitlements;
- (b) Operation and maintenance program:
  - (i) 100% of formula entitlement for fixed costs; and
  - (ii) 60% of formula entitlement for variable costs;
- (c) Library services program:
  - (i) 55% of formula entitlement for staffing; and
  - (ii) 54% of formula entitlement for collections;
- (d) Instruction program:
  - (i) 72% of formula entitlement for faculty staffing; and
  - (ii) 60% of formula entitlement for support staff and operations.

(2) The state board for community college education shall not transfer more than 8% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs. Such transfers are subject to review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made the state board shall report the amounts and purposes of such transfers to the senate ways and means committee and house appropriations committee at the beginning of each session of the legislature.

(3) The legislature directs that Olympia Technical Community College shall not become a comprehensive community college and shall offer only those courses essential to vocational education.

(4) The appropriations contained in sections 112 through 116 of this act shall be contingent on chapter ... (SSB 2435), Laws of 1977 1st ex. sess. becoming law.

(5) The average full time faculty direct classroom contact hours for the community college system shall be at least 19 hours per week. Faculty direct classroom contact hours are defined as the actual number of

hours of weekly instructional contact between the full time faculty member and the class in the case of scheduled classes and between the full time faculty member and the student enrolled in individual instruction courses. Office hours and informal student/faculty contact shall not be included except where specifically related to individual instruction courses. The council for postsecondary education shall develop uniform guidelines and reporting requirements to carry out the provisions of this subsection and shall monitor, each quarter or semester, institutional conformance to the provisions and guidelines. The council for postsecondary education shall provide a report to the house appropriations committee and the senate ways and means committee by February 1, 1978, on the fall quarter 1978 experience and a similar report by October 1, 1979, on the 1978-79 average annual experience.

**NEW SECTION. Sec. 110A.** The state board for community college education and the boards of trustees for community college districts thirteen and fourteen may waive the payment of nonresident fees by residents of Clatsop, Columbia, Washington, Multnomah, and Hood River counties, Oregon, for the duration of the 1977-79 biennium, contingent upon evidence that similar waivers are made for residents of Cowlitz, Clark, Pacific, or Wahkiakum counties, Washington, to attend any of the following Oregon institutions: Clatsop, Portland, or Mount Hood community colleges, or Portland state university.

The council for postsecondary education, in cooperation with the state board for community college education, shall undertake a study of the effects on costs and participation rates of such reciprocity arrangements, as well as the feasibility of other reciprocity agreements involving the states of Idaho and Oregon. The council for postsecondary education shall work with the above referenced Oregon institutions and their governing bodies to secure maximum participation by the state of Oregon. The council shall, to the extent possible, involve interested legislators, groups, and institutions in such efforts. The council for postsecondary education shall present its report with recommendations to the 46th regular session of the Washington state legislature.

**NEW SECTION. Sec. 111. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$ 2,204,000
Total Appropriation .....	\$ 2,204,000

**NEW SECTION. Sec. 112. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$ 159,411,000
Total Appropriation .....	\$ 159,411,000

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

(1) \$6,523,000 shall be expended for the purchase and repair of instructional equipment.

(2) \$1,818,000 shall be expended for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Skagit Valley Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 72% base level for each 100 FTE students below the 2,500 enrollment level, except that no college shall be funded in excess of 87% of formula.

**NEW SECTION. Sec. 113. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation .....	\$ 13,841,000
Total Appropriation .....	\$ 13,841,000

**NEW SECTION. Sec. 114. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 22,836,000
Total Appropriation .....	\$ 22,836,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,000,000 shall be distributed by the state board and expended for the continuation of programs for minority and disadvantaged students.

**NEW SECTION. Sec. 115. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$ 28,621,000
Total Appropriation .....	\$ 28,621,000

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$1,242,000 contained in this appropriation shall be expended for the maintenance and development of the management information system and such funds shall be expended only pursuant to a plan approved by the Washington State Data Processing Authority.

**NEW SECTION. Sec. 116. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 33,043,000
Total Appropriation .....	\$ 33,043,000

**NEW SECTION. Sec. 117. HIGHER EDUCATION.**

The appropriations contained in sections 118 through 148 of this act shall be subject to the following conditions and limitations:

(1) The base formula funding for the four year institutions of higher education, unless otherwise provided for in sections 118 through 148 of this act, for each year of the biennium are based in part on special nonformula items and in part on the following formula entitlements:

- (a) Student services program—75% of formula entitlement;
- (b) Plant operations and maintenance program:
  - (i) 60% of formula entitlement for variable costs; and
  - (ii) 100% of formula entitlement for fixed costs;
- (c) Instruction and departmental research—General program:
  - (i) 70% of formula entitlement for faculty staffing for the University of Washington and Washington State University;
  - (ii) 72% of formula entitlement for faculty staffing for the four year state colleges; and
  - (iii) 75% of formula entitlement for faculty support;
- (d) Libraries program—55% of formula entitlement for staffing.

(2) The four year institutions of higher education are authorized to transfer up to five percent of the amount appropriated for any specific program or programs upon review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made the institution shall report the amount and purpose of any such transfer to the senate ways and means committee and the house appropriations committee at the beginning of each session of the legislature.

(3) No funds appropriated by sections 118 through 148 of this act shall be used for the inauguration or operation of any new degree program until such program has been reviewed and recommended by the council for postsecondary education.

(4) The appropriations contained in sections 118 through 148 of this act shall be contingent on chapter ... (SSB 2435), Laws of 1977 1st ex. sess. becoming law.

(5) The average full time faculty direct classroom contact hours shall be at least 12 hours per week for the two universities and 14 hours per week for the four state colleges. Faculty direct classroom contact hours are defined as the actual number of hours of weekly instructional contact between the full time faculty member and the class in the case of scheduled classes and between the full time faculty member and the student enrolled in individual instruction courses. Office hours and informal student/faculty contact shall not be included except where specifically related to individual instruction courses. The council for postsecondary education shall develop uniform guidelines and reporting requirements to carry out the provisions of this subsection and shall monitor, each quarter or semester, institutional conformance to the provisions and guidelines. The council for postsecondary education shall provide a report to the house appropriations committee and the senate ways and means committee by February 1, 1978, on the fall quarter 1978 experience and a similar report by October 1, 1979, on the 1978-79 average annual experience.

**NEW SECTION. Sec. 118. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$ 151,398,000
Accident Fund Appropriation .....	\$ 748,000
Medical Fund Appropriation .....	\$ 748,000
<b>Total Appropriation .....</b>	<b>\$ 152,894,000</b>

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

- (1) \$447,000 shall be expended for the Joint Center for Graduate Study—Richland.
- (2) \$1,100,000 shall be for Family Medicine Education and Residency Programs provided for by chapter 70.112 RCW.

**NEW SECTION. Sec. 119. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$ 15,993,000
<b>Total Appropriation .....</b>	<b>\$ 15,993,000</b>

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 80.46% of such formula entitlement for collections for the first year of the 1977-79 biennium and is at 80.73% of such formula entitlement for collections for the second year of the 1977-79 biennium and is at 75% of such formula entitlement for staffing for the 1977-79 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 120. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 8,980,000
<b>Total Appropriation .....</b>	<b>\$ 8,980,000</b>

The appropriation contained in this section shall be subject to the following condition or limitation: Not less than \$1,900,000 shall be expended for the Educational Opportunity Program.

**NEW SECTION. Sec. 121. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation .....	\$ 16,207,000
<b>Total Appropriation .....</b>	<b>\$ 16,207,000</b>

**NEW SECTION. Sec. 122. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$ 24,709,000
Total Appropriation .....	\$ 24,709,000

**NEW SECTION, Sec. 123. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 31,238,000
Total Appropriation .....	\$ 31,238,000

**NEW SECTION, Sec. 124. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$ 89,821,000
Total Appropriation .....	\$ 89,821,000

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

(1) \$421,000 shall be expended for the Joint Center for Graduate Study—Richland.

(2) Not less than \$508,000 shall be expended for the support of Washington State University's participation in the WAMI Program.

**NEW SECTION, Sec. 125. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$ 7,478,000
Total Appropriation .....	\$ 7,478,000

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 69.36% of such formula entitlement for collections for the first year of the 1977-79 biennium and is at 70.40% of such formula entitlement for collections for the second year of the 1977-79 biennium and is at 60% of such formula entitlement for staffing for the 1977-79 biennium and is further based in part on special nonformula items.

**NEW SECTION, Sec. 126. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 5,609,000
Total Appropriation .....	\$ 5,609,000

**NEW SECTION, Sec. 127. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$ 11,227,000
Total Appropriation .....	\$ 11,227,000

**NEW SECTION, Sec. 128. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 17,611,000
Total Appropriation .....	\$ 17,611,000

**NEW SECTION, Sec. 129. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$ 22,214,000
Total Appropriation .....	\$ 22,214,000

**NEW SECTION, Sec. 130. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$ 2,243,000
Total Appropriation .....	\$ 2,243,000

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 85.28% of such formula entitlement for collections in the first year of the 1977-79 biennium and is at 86.39% of such formula entitlement for collections in the second year of the 1977-79 biennium.

**NEW SECTION, Sec. 131. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 2,378,000
Total Appropriation .....	\$ 2,378,000

**NEW SECTION, Sec. 132. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$ 4,303,000
Total Appropriation .....	\$ 4,303,000

**NEW SECTION, Sec. 133. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 6,886,000
Total Appropriation .....	\$ 6,886,000

**NEW SECTION, Sec. 134. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation .....	\$ 20,475,000
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Total Appropriation ..... \$ 20,475,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$50,000 shall be used for the development and operation of educational services in the Tri-Cities: PROVIDED, That Central Washington State College present its plan for the delivery of educational services in the Tri-Cities to the Council for Postsecondary Education and such plan is favorably reviewed and recommended by the Council.

**NEW SECTION, Sec. 135. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 2,876,000  
Total Appropriation ..... \$ 2,876,000

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 90.28% of such formula entitlement for collections in the first year of the 1977-79 biennium and is at 91.31% of such formula entitlement for collections in the second year of the 1977-79 biennium.

**NEW SECTION, Sec. 136. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 2,316,000  
Total Appropriation ..... \$ 2,316,000

**NEW SECTION, Sec. 137. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 4,266,000  
Total Appropriation ..... \$ 4,266,000

**NEW SECTION, Sec. 138. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 5,435,000  
Total Appropriation ..... \$ 5,435,000

**NEW SECTION, Sec. 139. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 8,053,000  
Total Appropriation ..... \$ 8,053,000

**NEW SECTION, Sec. 140. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 2,174,000  
Total Appropriation ..... \$ 2,174,000

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 96.62% of such formula entitlement for collections in the first year of the 1977-79 biennium and is at 97.48% of such formula entitlement for collections in the second year of the 1977-79 biennium.

**NEW SECTION, Sec. 141. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 996,000  
Total Appropriation ..... \$ 996,000

**NEW SECTION, Sec. 142. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation ..... \$ 2,717,000  
Total Appropriation ..... \$ 2,717,000

**NEW SECTION, Sec. 143. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 4,002,000  
Total Appropriation ..... \$ 4,002,000

**NEW SECTION, Sec. 144. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

General Fund Appropriation ..... \$ 26,651,000  
Total Appropriation ..... \$ 26,651,000

**NEW SECTION, Sec. 145. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 3,178,000  
Total Appropriation ..... \$ 3,178,000

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 88.93% of such formula entitlement for collections in the first year of the 1977-79 biennium and is at 90.00% of such formula entitlement for collections in the second year of the 1977-79 biennium.

**NEW SECTION, Sec. 146. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	3,279,000
Total Appropriation .....	\$	3,279,000

**NEW SECTION, Sec. 147. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE INSTITUTIONAL SUPPORT PROGRAM**

General Fund Appropriation .....	\$	5,431,000
Total Appropriation .....	\$	5,431,000

**NEW SECTION, Sec. 148. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	5,885,000
Total Appropriation .....	\$	5,885,000

**NEW SECTION, Sec. 149. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation .....	\$	34,000
Total Appropriation .....	\$	34,000

**NEW SECTION, Sec. 150. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State .....	\$	12,476,000
General Fund Appropriation—Federal .....	\$	2,290,000
Total Appropriation .....	\$	14,766,000

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

- (1) From such funds as are included for student financial aid in this appropriation, the Council shall make the largest possible distribution to the State Work Study program consistent with estimates of employment opportunities for students.
- (2) Not more than \$25,000 shall be expended to continue reviewing existing and developing new Instructional and Library formulas.
- (3) Not more than \$25,000 shall be expended to study and make recommendations on the curriculum and costs of The Evergreen State College. The study shall determine the actions necessary to broaden the institutions clientele base by introducing traditional undergraduate and graduate course offering and reduce the institutions total operating costs per FTE student to the average cost per FTE student at the other three state colleges.

**NEW SECTION, Sec. 151. FOR THE COMMISSION ON VOCATIONAL EDUCATION**

General Fund Appropriation—State .....	\$	2,806,000
General Fund Appropriation—Federal .....	\$	18,310,000
Total Appropriation .....	\$	21,116,000

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

- (1) No state funds shall be expended by the Advisory Council for Vocational Education.
- (2) \$280,000 of the \$18,310,000 general fund appropriation—federal shall be expended for fire service training special research projects.
- (3) Additional state funds in excess of those provided for by the appropriations contained in this section to secure maximum or replace anticipated federal funds shall be considered upon justification therefor.

**NEW SECTION, Sec. 152. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation .....	\$	910,000
Total Appropriation .....	\$	910,000

**NEW SECTION, Sec. 153. FOR THE STATE LIBRARY**

General Fund Appropriation—State .....	\$	5,433,000
General Fund Appropriation—Federal .....	\$	2,494,000
General Fund Appropriation—Private .....	\$	840,000
Washington Library Network Data Processing System Revolving Fund Appropriation—State .....	\$	1,188,000
Washington Library Network Data Processing System Revolving Fund Appropriation—Private/Local .....	\$	4,503,000
Total Appropriation .....	\$	14,458,000

**NEW SECTION, Sec. 154. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State .....	\$	675,000
General Fund Appropriation—Federal .....	\$	845,000
Indian Cultural Center Construction Account Appropriation—State .....	\$	1,000,000
Total Appropriation .....	\$	2,520,000

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

- (1) No bonds authorized by chapter 128, Laws of 1975-'76 2nd ex. sess. shall be sold until not less than \$2,700,000 in additional federal and private funding is provided or secured.
- (2) The Indian Cultural Center Construction Account Appropriation contained in this section shall be expended exclusively for a grant to the City of Seattle for planning, acquisition, design, construction, furnishing, and landscaping of a regional Indian cultural and educational facility designated as the 'People's Lodge' and located at Discovery Park or any site in Seattle, agreed to by the city.

**NEW SECTION, Sec. 155. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	455,000
Total Appropriation .....	\$	455,000

**NEW SECTION, Sec. 156. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	408,000
Total Appropriation .....	\$	408,000

**NEW SECTION, Sec. 157. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION**

General Fund Appropriation .....	\$	388,000
General Fund—State Capitol Historical Association Museum Account Appropriation .....	\$	46,000
Total Appropriation .....	\$	434,000

The appropriation contained in this section shall be subject to the following condition or limitation: No more than \$25,000 of the general fund appropriation shall be expended exclusively for a study to be submitted no later than November 1, 1978, to the senate ways and means committee and the house of representatives appropriation committee and the standing state government committees of the legislature to determine the potential of developing a self-supportive basis for the state capitol museum through permissible business enterprises or other activities which will provide profit to the museum. The intent of this study is to determine whether or not it is possible for a state museum to provide for its own financial support without state support. The study will include what is being done in other states, an economic assessment of the potential in this state, an implementation plan, and a draft of proposed enabling legislation.

**NEW SECTION, Sec. 158. FOR THE STATE TREASURER—TRANSFERS**

General Fund Appropriation: For transfer to the Washington Library Network Data Processing System Revolving Fund .....	\$	1,188,000
General Fund Appropriation: For transfer to the Reserve for Accrued Revenue Account pursuant to chapter 70, Laws of 1975-'76 2nd ex. sess. ....	\$	36,100,000
State Treasurer's Service Fund Appropriation: For transfer to the state general fund on or before July 20, 1979, an amount up to \$5,000,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1980, for credit to the fiscal year in which earned. ....	\$	5,000,000
General Fund—Investment Reserve Account Appropriation: For transfer to the state general fund on or before June 30, 1979, pursuant to chapter 50, Laws of 1969 .....	\$	9,200,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund— Outdoor Recreation Account on or before June 30, 1979, pursuant to the provisions of section 4(2), chapter 129, Laws of 1972 ex. sess. ....	\$	6,000,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund— Outdoor Recreation Account on or before June 30, 1979, pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess. ....	\$	6,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protec- tive Fund for appropriation to the Utilities and Transportation Commission for the 1977-79 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291 .....	\$	582,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Highways and the Washington State Patrol during the period July 1, 1977, through June 30, 1979 .....	\$	2,000,000

**NEW SECTION, Sec. 159.** The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1977, to June 30, 1979.

**SUNDRY CLAIMS**

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

(1) RUTH B. PEDERSON, For payment to widow of policeman in lieu of pen- sion .....	\$	1,535.00
(2) KEN'S PHARMACY, Payment for prescriptions provided to state applic- ants .....	\$	1,305.55
(3) BARRY J. DAHL, Payment of cost bill for State v. Charles Lesnick .....	\$	416.80
(4) PATRICIA J. ORSBORN, Payment of transcription fee for Anderson v. Morris .....	\$	78.00
(5) DONALD E. EARNEST, Payment for overcharge for 1973 travel trailer license fees .....	\$	49.00

(6) CLERK OF THE SUPERIOR COURT, County of Spokane, costs assessed against the state pursuant to Supreme Court Remittitur No. 43685	\$ 222.94
(7) CLERK OF THE SUPERIOR COURT, County of Cowlitz, Costs assessed against the state pursuant to Supreme Court Remittitur No. 1655-II	\$ 185.62
(8) VALEN H. HONEYWELL, Judgment against the state in Pacific National Bank v. State	\$ 5,978.46
(9) J. STEVEN THOMAS, Costs assessed against the state	\$ 42.00
(10) RICHARD E. SNYDER, Payment for loss of personal property during robbery at state liquor store	\$ 40.75
(11) RUSSELL A. AUSTIN, JR., Judgment against the state in Y.A.F. v. C.O.P.E.	\$ 5,551.59
(12) MARLIN L. VORTMAN, Judgment against the state in Geary S. Thompson v. Wenatchee Valley College	\$ 2,592.70
(13) HANS C. H. JENSEN, Payment for cost bill pursuant to Iverson v. Marine Bancorporation	\$ 300.00
(14) WILLIAM B. CAMERON, Payment for construction work at Skagit Valley College: PROVIDED, That payment is hereby authorized and shall be made from Skagit Valley College Reserve Funds	\$ 28,708.23
(15) MICHAEL C. CHRISTIE and JOHN M. WATSON: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Michael C. Christie and John M. Watson prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment for relief of unjust imprisonment'	\$ 100,000.00
(16) JAMES V. KESSLER, Payment for crop damage caused by elk over a two year period: PROVIDED, That \$732.00 shall be for damages caused in calendar year 1975 and \$802.50 shall be for damages caused in calendar year 1976: PROVIDED FURTHER, That two separate payments shall be made from Department of Game Funds, established for that purpose pursuant to RCW 77.12.280	\$ 1,534.50
(17) SCOTT R. WARD, Payment for crop damage caused by elk	\$ 2,500.00
(18) JOE AND LAFE WILSON, Damage to fruit trees by beaver	\$ 5,000.00
(19) PAULINE McCLELLAN, Damage to coats by mice	\$ 115.00
(20) ROBERT A. KIESZ, Payment for legal services for representing a client on behalf of the state	\$ 938.39
(21) RICHARD McKINNEY, Payment for relief for the death of the daughter of Mr. and Mrs. Alfred Kinghammer: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Alfred Kinghammer and Richard McKinney prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the death of the daughter (Nancy Kinghammer) caused by James Edward Ruzicka'	\$ 120,000.00
(22) KINNE F. HAWES, Payment for relief for death of daughter of Edward and Geraldine Haddenham: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Edward and Geraldine Haddenham and Kinne F. Hawes prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the death of the daughter (Penny Haddenham) caused by James Edward Ruzicka'	\$ 120,000.00
(23) WILLIAM C. MEECE and HOWARD K. MICHAELSEN: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be signed by William C. Meece and Howard K. Michaelsen prior to the release of the warrant which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof and their agents and all parties to Cause No. 180299, Superior Court of Spokane County, from any future claims with regard to payment for the relief of personal injuries received by William C. Meece at Circle Bar J Ranch, except that William C. Meece may seek satisfaction of judgment in Cause No. 180299 against Circle Bar J Ranch in an amount not to exceed \$10,000.00. The undersigned further agree to file with the Spokane County Superior Court a release of judgment satisfying Cause No. 180299 entered on the	



- 24th day of July, 1974, in all amounts except \$10,000.00 which will remain the obligation of the defendant in said action.' . . . . . \$ 100,000.00
- (24) HELEN LEE HOLCOMB, DONALD J. HOROWITZ, JUDITH JEFFERS, and GERALD L. BANGS: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be signed by Helen Lee Holcomb, Donald J. Horowitz, Judith Jeffers, and Gerald L. Bangs prior to the release of the warrant which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof and their agents from any further claims with regard to personal injuries suffered by claimant Helen Lee Holcomb on March 11, 1973. The undersigned attorneys, Donald J. Horowitz, Judith Jeffers, and Gerald L. Bangs further agree that they release claimant Helen Lee Holcomb from any claims against her for attorneys fees, costs, and expenses incurred on her behalf in connection with this claim or the injuries which are the basis thereof, in excess of one-third of the amount granted herein, notwithstanding the terms of any other agreement between the undersigned parties.' . . . . . \$ 75,000.00
- (25) CLERK OF THE SUPERIOR COURT, County of Pacific, Costs assessed against the state pursuant to Supreme Court Remittitur No. 44158 . . . . . \$ 1,198.25

ELECTION COSTS

General Fund Appropriation reimbursing counties for the state's share of election costs:

ADAMS COUNTY . . . . .	\$ 4,473.91
ASOTIN COUNTY . . . . .	\$ 4,199.52
BENTON COUNTY . . . . .	\$ 11,369.95
CHELAN COUNTY . . . . .	\$ 11,890.51
CLALLAM COUNTY . . . . .	\$ 13,029.46
CLARK COUNTY . . . . .	\$ 17,486.58
COLUMBIA COUNTY . . . . .	\$ 1,056.33
COWLITZ COUNTY . . . . .	\$ 20,795.20
DOUGLAS COUNTY . . . . .	\$ 7,170.00
FERRY COUNTY . . . . .	\$ 8,090.85
FRANKLIN COUNTY . . . . .	\$ 4,461.83
GARFIELD COUNTY . . . . .	\$ 954.39
GRANT COUNTY . . . . .	\$ 13,531.35
GRAYS HARBOR COUNTY . . . . .	\$ 14,083.91
ISLAND COUNTY . . . . .	\$ 7,529.94
JEFFERSON COUNTY . . . . .	\$ 3,066.68
KING COUNTY . . . . .	\$ 227,840.85
KITSAP COUNTY . . . . .	\$ 19,344.98
KITTITAS COUNTY . . . . .	\$ 6,411.35
KLICKITAT COUNTY . . . . .	\$ 6,188.98
LEWIS COUNTY . . . . .	\$ 25,348.08
LINCOLN COUNTY . . . . .	\$ 9,605.24
MASON COUNTY . . . . .	\$ 9,389.38
OKANOGAN COUNTY . . . . .	\$ 9,413.22
PACIFIC COUNTY . . . . .	\$ 8,006.85
PEND OREILLE COUNTY . . . . .	\$ 5,668.38
PIERCE COUNTY . . . . .	\$ 58,355.60
SAN JUAN COUNTY . . . . .	\$ 3,313.04
SKAGIT COUNTY . . . . .	\$ 17,308.53
SKAMANIA COUNTY . . . . .	\$ 4,242.88
SNOHOMISH COUNTY . . . . .	\$ 66,829.51
SPOKANE COUNTY . . . . .	\$ 46,636.03
STEVENS COUNTY . . . . .	\$ 5,517.66
THURSTON COUNTY . . . . .	\$ 22,354.87
WAKIYAKUM COUNTY . . . . .	\$ 3,767.29
WALLA WALLA COUNTY . . . . .	\$ 8,161.71
WHATCOM COUNTY . . . . .	\$ 13,615.56
WHITMAN COUNTY . . . . .	\$ 12,337.62
YAKIMA COUNTY . . . . .	\$ 23,645.42

NEW SECTION, Sec. 160. The office of program planning and fiscal management is hereby requested to cooperate fully with the legislative evaluation and accountability program committee in the areas of appropriation schedules, allotments, and estimated expenditure schedules as such items relate to the monitoring and evaluation by the LEAP data processing system of funds appropriated in this act. It is the intent of the legislature to cooperate with the governor in the implementation of RCW 43.88.070 which provides in part: 'Appropriations shall be deemed maximum authorizations to incur expenditures... to ensure that expenditure rates are such that program objectives are realized within these maximums'.

**NEW SECTION.** Sec. 160A. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess. the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1977.

**NEW SECTION.** Sec. 161. Notwithstanding any other provision of law, the employers' contribution rate for the Public Employees' Retirement System shall be established based upon a long term interest earning assumption of seven percent for the investment of system funds. No appropriation contained in this act shall be used to make contributions at a rate higher than that required by this section. It is intended that this adjustment shall reduce state general fund expenditures by eight million five hundred thousand dollars for the 1977-79 biennium.

**NEW SECTION.** Sec. 162. The word 'agency' used herein means and includes every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this act.

The phrase 'agencies headed by elective officials' used herein shall mean those executive offices or departments of the state which are directly supervised, administered, or controlled by the governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, or insurance commissioner, but it shall not include those boards, commissions, or committees on which one or more of the above mentioned officials serve.

**NEW SECTION.** Sec. 163. In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: **PROVIDED**, That the director of the office of program planning and fiscal management shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of chapter 15.66 RCW; the legislative branch of state government including the legislative budget committee, the statute law committee, and any legislative committee; or the judicial branch of state government: **PROVIDED FURTHER**, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved appropriations or to incur a deficiency and any obligations so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1977, for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1, 1977: **PROVIDED**, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1977.

**NEW SECTION.** Sec. 164. Unless prohibited by federal law the receipt of federal or other funds which are not anticipated in the appropriation bill enacted by the legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources. Any state funds replaced by federal or other receipts shall be placed in reserve to the credit of the appropriate state fund or account, and shall not be expended, unless authorized by the legislature.

**NEW SECTION.** Sec. 165. In the event that receipts shall be less than those estimated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 163 of this act. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

**NEW SECTION.** Sec. 165A. State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

**NEW SECTION.** Sec. 166. Any programs which are supported in whole or in part by federal funds shall not receive any additional state funds for the programs in the event that federal funds are reduced or eliminated for the program.

**NEW SECTION.** Sec. 166A. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of program planning and fiscal management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

**NEW SECTION.** Sec. 167. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

**NEW SECTION.** Sec. 168. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management shall direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

**NEW SECTION.** Sec. 169. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, and interest on registered warrants, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

**NEW SECTION.** Sec. 170. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

**NEW SECTION.** Sec. 171. In accordance with the provisions of this section the office of program planning and fiscal management shall use the allotment process during the 1977-79 biennium to control the funding of the formula portion of the instruction and departmental research program of all the four year institutions of higher education and the community colleges. For the purpose of the controls outlined in this section, deviations in the formula entitlements for faculty staffing shall be the controlling factor for the four year institutions of higher education while full time equivalent student enrollment will be the controlling factor for the community college system. For the purpose of this section, the 'contract level' is defined as the level upon which the budget is based, and the 'base level' is defined as the formula entitlement level corresponding to the prior year's actual enrollment level. Controls shall be applied to each four year institution separately and to the community college education system as a total entity. "Growth funding" is defined as that portion of the state general fund appropriation by which the contract level exceeds the base level. Growth funds may be allotted at the option of the school or system. Unearned growth funds will be reverted to the state general fund prior to the end of the fiscal year in which such growth fails to materialize.

Contract enrollments for the second year of the biennium will be renegotiated in the event the first year's actual enrollment falls below the base level of the first year. Contract enrollments for the second year of the biennium shall not be renegotiated in the event that the first year's actual enrollments exceeds the contract level established for the first year.

**NEW SECTION.** Sec. 171A. It is the expressed intention of the legislature that agency operational activity shall be regularly monitored by the office of program planning and fiscal management, under their statutory authority relating to the allotment control function, in order to limit fluctuations in the respective fiscal year spending patterns which tend to inflate the expenditures in the second fiscal year of the biennium. Particular control emphasis shall be placed on those instances in which the full time equivalent staff years authorization is deliberately delayed in order to increase the agency's full time equivalent staff years as substantiation for the second fiscal year or the ensuing biennial request. Unanticipated receipts, which are authorized by the governor and expended by any state agency, shall be allotted, monitored, controlled, and reported separately at the end of the respective fiscal year and at the end of the biennium to the governor and the house appropriations committee and the senate ways and means committee. Such report shall identify the full time equivalent staff years and the program and/or activity for which such funds were expended.

**NEW SECTION.** Sec. 172. To obtain maximum interagency use of aircraft, the Aeronautics Commission in accordance with chapter 39.34 RCW is hereby authorized to lease, purchase, or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: **PROVIDED**, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance, and make such other provisions as necessary to provide aircraft and related services for multi-agency use: **PROVIDED FURTHER**, That in order to achieve economy in the use of the appropriations contained within this act no state agency may purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

**NEW SECTION.** Sec. 173. If any part of this 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 act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act; the rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

**NEW SECTION.** Sec. 174. 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. 175. 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."

Signed by Senators Donohue, Odegaard; Representatives Shinpoch, Thompson, Blair.

#### MOTION

On motion of Mr. Shinpoch, the report of the Free Conference Committee was adopted.

#### 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 Substitute Senate Bill No. 3109 as amended by the Free Conference Committee.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "As you will recall, House Bill No. 424 established a state Commission for the Blind and it had a fiscal impact of \$104,000. It's not mentioned per se, but I'd like to know how the department can implement or assist the implementation of the State Commission for the Blind?"

Mr. Shinpoch: "Representative Douthwaite, it's my understanding that in the manner House Bill No. 424 was written it would designate the Department of Social and Health Services would transfer those people who are directly concerned to the new Commission for the Blind. It would be my judgment that would be as the budget arm of the Executive Branch, and would be up to the Office of Program Planning and Fiscal Management to assure that transfer is properly handled."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3109 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 65; nays, 19; not voting, 14.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Deccio, Douthwaite, Ehlers, Enbody, Erak, Erickson, Fortson, Fuller, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., North, O'Brien, Oliver, Owen, Patterson, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Struthers, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Blair, Bond, Craswell, Eng, Fischer, Flanagan, Gallagher, Gilleland, Greengo, Heck, Hurley M., McKibbin, Newhouse, Paris, Pearsall, Polk, Taller.

Not voting: Representatives Adams, Amen, Chandler, Dunlap, Fancher, Haley, Lux, Nelson G. A., Pardini, Sanders, Schmitten, Shinoda, Smith, Zimmerman.

Substitute Senate Bill No. 3109 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.

#### STATEMENT FOR THE JOURNAL

When the vote on final passage of the operating budget, Substitute Senate Bill No. 3109 as amended by the Free Conference Committee, was taken I was not present to vote. Had I been present I would have voted yes.

I was unaware that the vote was going to be taken when it was and had gone to the Senate to discuss the capital budget. Since the debate was very limited I did not have time to get back to the House to vote.

RICK SMITH, 23rd District.

#### MOTION

On motion of Mr. King, Substitute Senate Bill No. 3109 as amended by the Free Conference Committee was ordered transmitted immediately to the Senate.

#### MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 3, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

June 21, 1977

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 3, taxing federal nuclear power generators, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Bottiger, Benitz, Morrison; Representatives Kilbury, Oliver, Sommers.

MOTION

On motion of Mr. Kilbury, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MOTION

On motion of Mr. King, the House dispensed with further business under the Call of the House.

The Speaker declared the House to be at ease until 7:30 p.m.

The Speaker called the House to order.

MESSAGES FROM THE SENATE

June 21, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 446,

SUBSTITUTE HOUSE BILL NO. 960,

SUBSTITUTE HOUSE BILL NO. 980,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3109,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 21, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2522,

SUBSTITUTE SENATE BILL NO. 2537,

SUBSTITUTE SENATE BILL NO. 3109,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 2522,

SUBSTITUTE SENATE BILL NO. 2537,

SUBSTITUTE SENATE BILL NO. 3109.

INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following interim committee appointments:

Joint Committee on Sunset Legislation: Representatives Amen, Ehlers, King, Tilly, Walk.

Office of Actuary, Special Committee: Representatives Blair, Sommers, Warnke.

Tri State Fisheries Committee: Representative Martinis.

## MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 3, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 21, 1977

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 3, have had the same under consideration, and we recommend:

That the Senate amendments to page 2, line 13; to page 5, line 30; and to page 5, line 33 be adopted;

That the Senate amendment to page 5, line 20 be not adopted; and the following amendment be substituted:

On page 5, beginning on line 20 strike all of subsection (a) and (b) and insert the following:

"(a) Fifty percent to the state general fund for the support of schools; and

(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts."

Signed by Senators Bottiger, Benitz, Morrison; Representatives Kilbury, Oliver, Sommers.

## MOTION

On motion of Mr. Kilbury, the House adopted the report of the Free Conference Committee.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 3 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 72; nays, 3; not voting, 23.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charnley, Clayton, Clemente, Conner, Craswell, Douthwaite, Ehlers, Enbody, Eng, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Hughes, Hurley G. S., Kilbury, King, Knedlik, Leckenby, Lee, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., Newhouse, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Charette, Erak, Shinoda.

Not voting: Representatives Adams, Amen, Blair, Chandler, Deccio, Dunlap, Fancher, Gallagher, Haley, Heck, Hurley M., Keller, Knowles, Kreidler, Lux, May, Nelson G. A., North, Owen, Pardini, Sanders, Schmitten, Zimmerman.

Substitute House Bill No. 3 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.

## SENATE AMENDMENTS TO HOUSE BILL

June 21, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1009 with the following amendments:

Beginning on page 1, line 11 strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of June, 1976, until the thirtieth day of June, ((1977)) 1979, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax in

the amount of six percent of the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed.

Sec. 2. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of June, 1976, until the thirtieth day of June, ((1977)) 1979, such tax shall be levied and collected in an amount equal to four and six-tenths percent of the selling price. The tax imposed under this chapter shall apply to successive retail sales of the same property.

Sec. 3. Section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020 are each amended to read as follows:

There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any article of tangible personal property purchased at retail, or acquired by lease, gift, repossession, or bailment, or extracted or produced or manufactured by the person so using the same, or otherwise furnished to a person engaged in any business taxable under RCW 82.04.280, subsections (2) or (7). This tax will not apply with respect to the use of any article of tangible personal property purchased, extracted, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property in this state. This tax shall apply to the use of every article of tangible personal property, including property acquired at a casual or isolated sale, and including byproducts used by the manufacturer thereof, except as hereinafter provided, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state. Except as provided in subdivision (2) of RCW 82.12.030, payment by one purchaser or user of tangible personal property of the tax imposed by chapter 82.08 or 82.12 RCW shall not have the effect of exempting any other purchaser or user of the same property from the taxes imposed by such chapters. The tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of four and one-half percent: PROVIDED, That from and after the first day of June, 1976, until the thirtieth day of June, ((1977)) 1979, such tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of four and six-tenths percent.

**NEW SECTION.** Sec. 4. This 1977 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."

Beginning on line 1 of the title after "taxation;" strike the remainder of the title and insert "amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 130, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.020; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House adopted the Senate amendments to Substitute House Bill No. 1009.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1009 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1009 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 55; nays, 20; not voting, 23.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Burns, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson D., North, O'Brien, Pearsall, Pruitt, Salatino, Sherman, Shinpoch, Smith, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Berentson, Clayton, Craswell, Flanagan, Fuller, Gilleland, Greengo, Leckenby, Lee, Newhouse, Oliver, Patterson, Polk, Shinoda, Struthers, Taller, Tilly, Wilson.

Not voting: Representatives Adams, Amen, Blair, Bond, Chandler, Deccio, Dunlap, Fancher, Gallagher, Haley, Hurley M., Lux, May, Nelson G. A., Owen, Pardini, Paris, Sanders, Schmitt, Whiteside, Williams, Winsley, Zimmerman.

Substitute House Bill No. 1009 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.

#### STATEMENT FOR THE JOURNAL

I wish the record to show that I wished to vote "No" on Substitute House Bill No. 1009 as amended by the Senate.

DICK BOND, 6th District.

#### SENATE AMENDMENT TO HOUSE BILL

June 21, 1977

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 727 with the following amendment:

On page 1, line 16 after "((two))" strike "one" and insert "three" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendment to Engrossed House Bill No. 727.

#### 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. 727 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 727 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 0; not voting, 20.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Barnes, Chandler, Deccio, Douthwaite, Dunlap, Ehlers, Fancher, Haley, Hurley M., Lux, McKibbin, Nelson G. A., Owen, Pardini, Sanders, Schmitt, Whiteside, Zimmerman.

Engrossed House Bill No. 727 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

June 21, 1977

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 255 with the following amendments:

On page 2, line 2 after "in" and before "equal" strike "the preceding year" and insert "each of two of the preceding three years"

On page 2, beginning with "assessments" on line 15 strike all the material down to and including the period on line 18 and insert "irrigation district assessments on lands within the district and shall act with the same powers and duties and be under the same restrictions as provided by law for county treasurers acting in matters pertaining to irrigation districts, except the powers, duties, and restrictions in RCW 87.56.110, 87.56.210, 87.80.180, 87.80.190 and 87.80.200, which shall continue to be those of county treasurers.

In those districts which have designated their own treasurers, the provisions of law pertaining to irrigation districts which require certain acts to be done and which refer to and involve a county treasurer or the office of a county treasurer or the county officers charged with the collection of irrigation district assessments, except RCW 87.56.110, 87.56.210, 87.80.180, 87.80.190 and 87.80.200, shall be construed to refer to and involve the designated district treasurer or the office of the designated district treasurer."

On page 3, line 5 strike section 2 in its entirety.

On page 3, line 17 after "during" and before "as" strike "the previous year" and insert "each of two of the previous three years"



On page 1, line 1 of the title after "government;" strike all material down through "RCW 53.36.010; and" on line 3.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendments to Substitute House Bill No. 255.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 255 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 255 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 3; not voting, 20.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Struthers, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Conner, Tilly.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, Lux, McKibbin, Nelson G. A., Oliver, Owen, Pardini, Sanders, Schmitt, Sommers, Whiteside, Williams, Zimmerman.

Substitute House Bill No. 255 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

June 19, 1977

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 604 with the following amendments:

On page 5, beginning on line 22 add a section following section 6 as follows:

"Sec. 7. Section 51.12.020, chapter 23, Laws of 1961 as last amended by section 1, chapter 124, Laws of 1973 and RCW 51.12.020 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, repair, remodeling, or similar work in or about the private home of the employer which does not exceed ten consecutive work days.

(3) A person whose work is casual and the employment is not in the course of the trade, business, or profession of his employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors and partners.

(6) Any employee, not regularly and continuously employed by the employer in agricultural labor, whose cash remuneration paid by or due from any one employer in that calendar year for agricultural labor is less than one hundred fifty dollars. Employees not regularly and continuously employed in agricultural labor by any one employer but who are employed in agricultural labor on a seasonal basis shall come under the coverage of this title only when their cash remuneration paid or due in that calendar year exceeds one hundred fifty dollars but only as of the occurrence of that event and only as to their work for that employer.

(7) Any child under eighteen years of age employed by his parent or parents in agricultural activities on the family farm.

(8) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

Renumber the remaining sections consecutively.

On page 7, line 6 after "may" delete "established sufficient" and insert "~~((established sufficient))~~ be required by the director to supplement existing"

On page 8, line 21 after "a" delete "satisfactory"

On page 9, line 34 strike "other employers" and insert "its customers"

On page 9, line 34 after "employer" strike "only"

On page 9, line 36 through line 1 on page 10, strike "for such other employers" and insert "as determined by the department: PROVIDED, That the employer shall be liable for paying premiums and assessments, should the temporary help company fail to pay the premiums and assessments under this title"

On page 10, line 36 strike "~~((previous injury or disease))~~ cause whatsoever" and insert "previous injury or disease"

On page 11, line 19 after "department" strike "may" and insert "shall"

On page 15, line 5 after "or" strike "remove" and insert "~~((remove))~~ move"

On page 1, line 11 of the title after "RCW 51.08.178;" and before "amending" insert "amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 1, chapter 124, Laws of 1973 and RCW 51.12.020;"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. King, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 604.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 604 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 604 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 0; not voting, 16.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, Lux, McKibbin, Nelson G. A., Owen, Pardini, Sanders, Schmittens, Zimmerman.

Engrossed Substitute House Bill No. 604 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.

The Speaker called on Mr. O'Brien to preside.

#### MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted:

#### SENATE CONCURRENT RESOLUTION NO. 123,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 123, by Senators Walgren, Peterson and Donohue:

Providing for a legislative interim management and program analysis of the department of fisheries.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 123 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 123 was placed on final passage.

Representatives Martinis and Berentson spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 123, and the resolution passed the House by the following vote: Yeas, 80; nays, 0; not voting, 18.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Chandler, Conner, Deccio, Douthwaite, Dunlap, Fancher, Haley, Lux, Nelson G. A., Oliver, Owen, Pardini, Sanders, Schmitt, Williams, Zimmerman.

Senate Concurrent Resolution No. 123, having received the constitutional majority, was declared passed.

## MOTION

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

## RESOLUTIONS

HOUSE RESOLUTION NO. 77-29, by Representatives Clemente, Chandler, Shinpoch and Adams:

WHEREAS, The consumption of alcohol to excess continues to be a substantial problem for society and is costly to the state of Washington and its citizens in lost and wasted lives; and WHEREAS, Drinking habits and patterns are frequently established during the teenage years; and

WHEREAS, Arrests of juveniles involved with alcohol abuse have increased dramatically and the problems of excessive drinking and alcoholism by youth have become progressively more severe and threatening in recent years;

NOW, THEREFORE BE IT RESOLVED, That the House of Representatives shall establish a Select Committee on Youth Alcohol Problems in the state of Washington and that this committee shall be made up of nine members, three each from the current standing committees on Education, Appropriations and Social and Health Services, with the respective chairpersons and ranking minority members of said committees, to be appointed by the Speaker and the minority floor leader; and

BE IT FURTHER RESOLVED, That this Select Committee on Youth Alcohol Problems shall submit a report to the Legislature by the first week of January, 1978 and make specific recommendations for any legislation that may be required.

On motion of Mr. Clemente, House Resolution No. 77-29 was adopted.

HOUSE RESOLUTION NO. 77-37, by Representatives Warnke and Gaines:

WHEREAS, There exists, according to the Bigfoot Information Center in Hood River, Oregon, an historical record of at least one hundred and twenty years relating to the existence of a Bigfoot or Sasquatch in the State of Washington and that there exists evidence of the continued existence of such a creature in the nature of recently discovered footprints and at least two reported Bigfoot sightings within Washington State during the last twelve months; and

WHEREAS, Bigfoot is a sensitive and shy creature who is loathe to come into conflict with human beings; and

WHEREAS, Bigfoot's existence could be jeopardized by people seeking its whereabouts who are of the intent to capture Bigfoot and place said creature in a zoo and are known to carry firearms and other dangerous weapons; and

WHEREAS, The exploitation of Bigfoot for commercial purposes so as to enhance the economic development of the State of Washington and to improve its tourist industry would break the heart of the tender and shy creature; and

WHEREAS, The number of Bigfeet remaining in the State of Washington is unknown and the capturing or death of one such creature could decimate the population of Bigfeet and bring great discomfort and grief to those creatures so remaining in their natural habitat;

NOW, THEREFORE, BE IT RESOLVED, That the Department of Natural Resources through the authority granted it pursuant to Chapter 79.70 RCW be directed to determine the

precise habitat of Bigfoot within Washington state and to take whatever measures are appropriate in order to assure the continued and unharried survival of this splendid creature;

AND BE IT FURTHER RESOLVED, That the Department of Interior be requested by the Clerk of this House on behalf of its members to place all Bigfeet on its endangered species list along with such other Washington creatures as the blackfooted ferret, the Columbian white tailed deer, and the timber wolf.

Mr. Warnke moved adoption of the resolution.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis, Gaines, Wilson and Warnke:

Strike the paragraph beginning "NOW, THEREFORE, BE IT RESOLVED" and insert the following: "NOW, THEREFORE, BE IT RESOLVED, That the House Natural Resources Standing Committee be directed to determine the precise habitat of Bigfoot within Washington State and draft legislation appropriate in order to assure the continued and unharried survival of this splendid creature; and present it to the next session of the Legislature."

Representatives Martinis and Gaines spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Gilleland.

Mr. Gilleland: "Representative Martinis, we passed legislation a couple years ago for personalized license plates which went into the Department of Game to protect wild species, animals and such. I wonder if that's what will be used to conduct this study?"

Mr. Martinis: "Representative Gilleland, I don't really look for this study to have any great expense involved with it, but to come under the jurisdiction of the personalized license plate revenues, Bigfoot would have to qualify as nongame wildlife. In the resolution it doesn't clearly state whether Bigfoot is human or whether it's beast or whether it's wildlife. The House Natural Resources Committee will try to reach a determination of this and present it to you in the next session of the Legislature. You, the Representatives of the State of Washington, will determine what category that Bigfoot will fall in and it will definitely be your determination as representatives of your constituents."

Mr. King demanded the previous question and the demand was sustained.

The amendment was adopted.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Martinis, if Bigfoot turns out to be human how are you going to get the responsibility turned over to the Department of Social and Health Services?"

Mr. Martinis: "Representative Leckenby, if Bigfoot does happen to be human I will wholeheartedly move that the legislation our committee would develop would be rereferred to the Committee on Social and Health Services, but the evidence today really lies within the purview of the Natural Resources Committee."

Representatives Charnley and Warnke spoke in favor of the resolution.

Mr. Bender demanded the previous question and the demand was sustained.

House Resolution No. 77-37 was adopted.

#### MOTION

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

#### SECOND READING

On motion of Mr. Bender, ENGROSSED SUBSTITUTE SENATE BILL NO. 3027 was rereferred to Committee on Rules.

SUBSTITUTE SENATE BILL NO. 2235, by Committee on Ways and Means (Originally sponsored by Senators Day, McDermott and Buffington - by Office of Program Planning and Fiscal Management request):

Authorizing a social and health services facilities bond issue.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 99th Day ex. sess., June 17, 1977.)

On motion of Mr. McKibbin, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2235 as amended by the House was placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2235 as amended by the House, and the bill passed the House by the following vote: Yeas, 71; nays, 10; not voting, 17.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clemente, Conner, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., North, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Clayton, Craswell, Gilleland, Haley, Hurley M., Leckenby, Newhouse, Shinoda.

Not voting: Representatives Adams, Amen, Blair, Chandler, Deccio, Douthwaite, Dunlap, Ehlers, Fancher, Lux, Nelson G. A., O'Brien, Oliver, Pardini, Sanders, Schmitt, Zimmerman.

Substitute Senate Bill No. 2235 as amended by the House, having received the constitutional sixty percent 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. 2242, by Senators Peterson, Newschwander and Odegaard (by Office of Program Planning and Fiscal Management request):

Authorizing a capital projects bond issue for fisheries.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2242 was placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2242, and the bill passed the House by the following vote: Yeas, 78; nays, 4; not voting, 16.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clemente, Conner, Craswell, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bond, Clayton, Hawkins, Shinoda.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Ehlers, Fancher, Haley, Lux, Nelson G. A., Oliver, Pardini, Sanders, Schmitt, Zimmerman.

Engrossed Senate Bill No. 2242, having received the constitutional sixty percent 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. 2272, by Senators Donohue, Matson and Odegaard (by Office of Program Planning and Fiscal Management request):

Authorizing bonds for WSU construction.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2272 was placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2272, and the bill passed the House by the following vote: Yeas, 78; nays, 4; not voting, 16.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Hanna, Hansen, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Fischer, Hawkins, Leckenby, Shinoda.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Gruger, Haley, Lux, Nelson G. A., Oliver, Pardini, Sanders, Schmitt, Zimmerman.

Engrossed Senate Bill No. 2272, having received the constitutional sixty percent 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. 2274**, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Matson and Odegaard – by Office of Program Planning and Fiscal Management request):

Authorizing general obligation bonds for institutions of higher education facilities.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 99th Day ex. sess., June 17, 1977.)

On motion of Mr. McKibbin, the committee amendment was adopted.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2274 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2274 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 5; not voting, 18.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Pruitt, Salatino, Sherman, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Hurley M., Leckenby, Shinoda.

Not voting: Representatives Adams, Amen, Berentson, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, Hurley G. S., Lux, Nelson G. A., Oliver, Pardini, Polk, Sanders, Schmitt, Zimmerman.

Substitute Senate Bill No. 2274 as amended by the House, having received the constitutional sixty percent 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. 2277**, by Senators Donohue, Odegaard and Matson (by Office of Program Planning and Fiscal Management request):

Authorizing the issuance and sale of state general obligation bonds, including bond anticipation notes, to fund community college capital projects.

The bill was read the second time.

On motion of Ms. Becker, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2277 was placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2277 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 0; not voting, 16.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, Lux, McCormick, Nelson G. A., Oliver, Pardini, Sanders, Schmitt, Zimmerman.

Engrossed Senate Bill No. 2277 as amended by the House, having received the constitutional sixty percent 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. 2703, by Committee on Ways and Means (Originally sponsored by Senator Donohue):

Increasing legislative per diem.

#### MOTION

Mr. King moved that Engrossed Substitute Senate Bill No. 2703 be indefinitely postponed.

Ms. Becker demanded an oral roll call on the motion, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to indefinitely postpone Engrossed Substitute Senate Bill No. 2703, and the motion was carried by the following vote: Yeas, 71; nays, 8; not voting, 19.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Charnley, Clemente, Craswell, Ehlers, Enbody, Eng, Erak, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., Newhouse, North, O'Brien, Owen, Paris, Pearsall, Pruitt, Salatino, Shinoda, Shipoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Clayton, Conner, Fischer, Greengo, Leckenby, Polk, Sherman.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Erickson, Fancher, Fortson, Haley, Hughes, Lux, Nelson G. A., Oliver, Pardini, Patterson, Sanders, Schmitt, Zimmerman.

#### STATEMENT FOR THE JOURNAL

I intended to vote "Yes" on Representative King's motion to indefinitely postpone action on Engrossed Substitute Senate Bill No. 2703.

RICHARD O. BARNES, 33rd District.

HOUSE BILL NO. 623, by Representatives Bauer and Zimmerman:

Exempting capital expenditures of nonprofit water associations from gross income for public utility tax purposes.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 98th and 99th Days ex. sess., June 16 and 17, 1977.)

Committee on Revenue recommendation: Majority, the House do not concur in Senate amendments.

#### MOTION

Ms. Sommers moved that the House adopt the committee report.

#### ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Revenue Committee on House Bill No. 623, and the motion was carried by the following vote: Yeas, 47; nays, 34; not voting, 17.

Voting yea: Representatives Becker, Bender, Boldt, Burns, Charnley, Clemente, Conner, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Grier, Grimm, Gruger, Hanna, Hawkins, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Martinis, Maxie, McCormick, Moreau, Nelson D., North, O'Brien, Owen, Pearsall, Pruitt, Sherman, Shipoch, Smith, Sommers, Valle, Vrooman, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bauer, Berentson, Blair, Bond, Clayton, Craswell, Flanagan, Fuller, Gaines, Gallagher, Gilleland, Greengo, Hansen, Heck, Kreidler, Leckenby, Lee, Lysen, May, Newhouse, Oliver, Paris, Patterson, Polk, Shinoda, Struthers, Taller, Thompson, Tilly, Whiteside, Wilson, Winsley.

Not voting: Representatives Adams, Amen, Chandler, Charette, Deccio, Douthwaite, Dunlap, Fancher, Haley, Lux, McKibbin, Nelson G. A., Pardini, Salatino, Sanders, Schmitt, Zimmerman.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Gallagher: "Was this on third reading and final passage?"

The Speaker (Mr. O'Brien presiding): "The action taken by committee relative to the Senate amendment on House Bill No. 623 was that the committee decided not to concur with the Senate amendment. This bill will now be returned to the Senate with the action of the House and the action of the committee."

Mr. Gallagher: "The bill was on reconsideration. Originally, the motion failed."

The Speaker (Mr. O'Brien presiding): "The motion to adopt the committee amendment failed. Then notice was given for reconsideration; reconsideration carried, and so pending before us is the original action for adoption of the committee report. The second time the committee report was adopted, and now the message is returned to the Senate."

#### MOTION

On motion of Mr. King, House Bill No. 623 was ordered transmitted immediately to the Senate.

#### MESSAGES FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has failed to pass:

SUBSTITUTE HOUSE BILL NO. 1203.

Bill Gleason, Assistant Secretary.

June 21, 1977

Mr. Speaker:

The Senate has passed REENGROSSED SUBSTITUTE SENATE BILL NO. 2034 as amended by the House.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2714,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

The Speaker resumed the Chair.

#### REPORT OF STANDING COMMITTEE

ENGROSSED SUBSTITUTE SENATE BILL NO. 2949:

(For previous action, see Journal, page 1302.)

#### SPEAKER'S RULING

The Speaker: "This is in response to Representative Polk's point of order on Senate Bill No. 2949. Representative Polk, your point is well taken. The bill is returned to the Commerce Committee."



## MOTION

On motion of Mr. King, the House reverted to the fourth order of business.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2714, by Senator Odegaard:

Relating to revenue and taxation.

## MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Bill No. 2714 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Bill No. 2714 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2714, and the bill passed the House by the following vote: Yeas, 79; nays, 2; not voting, 17.

Voting yea: Representatives Barnes, Barr, Becker, Bender, Berentson, Blair, Bond, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Grier, Grimm, Gruger, Hanna, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, Moreau, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Paris, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Hansen, Williams.

Not voting: Representatives Adams, Amen, Bauer, Boldt, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, Lux, McKibbin, Nelson G. A., Pardini, Sanders, Schmitt, Zimmerman.

Senate Bill No. 2714, 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 declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. King, the House advanced to the seventh order of business.

## THIRD READING

On motion of Mr. King, the Rules Committee was relieved of SENATE BILL NO. 2839, and the bill was ordered placed at the top of the third reading calendar.

SENATE BILL NO. 2839, by Senators Marsh, Henry and Talley:

Exempting certain transmission and reception property of nonprofit corporations from property taxation.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Ehlers.

Mr. Ehlers: "I'm curious, Representative Bauer, what is the exemption going to cost in terms of property tax to the area and to the state? How much money are we talking about?"

Mr. Bauer: "We're talking about a small parcel of land that a transmitter might rest on, on which the value of the property itself would be insignificant."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2839, and the bill passed the House by the following vote: Yeas, 54; nays, 23; not voting, 21.

Voting yea: Representatives Barnes, Barr, Bauer, Becker, Berentson, Boldt, Clayton, Clemente, Conner, Enbody, Fischer, Flanagan, Fortson, Fuller, Gaines, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, Knowles, Kreidler, Leckenby, Lee, Lysen, Martinis, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Owen, Patterson, Pearsall,

Polk, Salatino, Shinpoch, Struthers, Tilly, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Bond, Burns, Charette, Charnley, Craswell, Ehlers, Eng, Erickson, Gallagher, King, Knedlik, May, Nelson D., North, Pruitt, Sherman, Smith, Sommers, Taller, Thompson, Valle, Williams.

Not voting: Representatives Adams, Amen, Blair, Chandler, Deccio, Douthwaite, Dunlap, Erak, Fancher, Greengo, Haley, Lux, Maxie, Nelson G. A., Oliver, Pardini, Paris, Sanders, Schmitt, Shinoda, Zimmerman.

Senate Bill No. 2839, 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. King moved that Senate Bill No. 2839 be transmitted immediately to the Senate, and a division was called.

#### ROLL CALL

The Clerk called the roll on the motion to transmit Senate Bill No. 2839 immediately to the Senate, and the motion was carried by the following vote: Yeas, 52; nays, 21; not voting, 25.

Voting yea: Representatives Barr, Bauer, Becker, Berentson, Boldt, Clemente, Conner, Enbody, Erickson, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knowles, Kreidler, Leckenby, Lee, Martinis, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Pearsall, Polk, Pruitt, Salatino, Shinpoch, Smith, Struthers, Vrooman, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Bender, Bond, Burns, Charette, Charnley, Clayton, Craswell, Ehlers, Eng, Knedlik, Lysen, North, Sanders, Sherman, Sommers, Taller, Thompson, Valle, Whiteside, Williams.

Not voting: Representatives Adams, Amen, Blair, Chandler, Deccio, Douthwaite, Dunlap, Erak, Fancher, Greengo, Haley, Hurley G. S., Lux, Maxie, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Patterson, Schmitt, Shinoda, Tilly, Winsley, Zimmerman.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 3,  
HOUSE BILL NO. 727,  
SUBSTITUTE HOUSE BILL NO. 1009,  
SENATE BILL NO. 2714.

#### MOTION

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

#### SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 3097, by Committee on Ways and Means (Originally sponsored by Senator Benitz):

Authorizing bonds for building and equipping of state fire service training center for commission for vocational education.

The bill was read the second time.

#### MOTION

On motion of Mr. King, further consideration of Second Substitute Senate Bill No. 3097 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

#### MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate refuses to concur in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 2232, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

Mr. Clemente moved that the House recede from its amendments to Second Substitute Senate Bill No. 2232.

Mr. King moved that the House adhere to its position with regard to Second Substitute Senate Bill No. 2232.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Which is the positive motion? Is it the motion to adhere to the House position or the motion to recede from the House position?"

The Speaker: "The motion to recede is a higher ranking motion than the motion to adhere based on Reed's Rule 247."

Representatives Clemente and Boldt spoke in favor of the motion to recede from the House amendments, and Mr. Zimmerman spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to recede from the House amendments to Second Substitute Senate Bill No. 2232, and the motion was carried by the following vote: Yeas, 45; nays, 33; not voting, 20.

Voting yea: Representatives Barr, Bauer, Becker, Bender, Berentson, Boldt, Bond, Burns, Charette, Clayton, Clemente, Conner, Enbody, Erak, Erickson, Flanagan, Fortson, Fuller, Gallagher, Greengo, Hanna, Hansen, Heck, Hughes, Knedlik, Knowles, Leckenby, Lee, Martinis, May, McCormick, Moreau, North, O'Brien, Owen, Polk, Salatino, Shinoda, Smith, Taller, Valle, Vrooman, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Charnley, Craswell, Ehlers, Eng, Fischer, Gaines, Gilleland, Grier, Grimm, Gruger, Hawkins, Hurley G. S., Keller, Kilbury, Kreidler, Lysen, Maxie, McKibbin, Nelson D., Patterson, Pearsall, Pruitt, Sherman, Shinpoch, Sommers, Struthers, Walk, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, Hurley M., King, Lux, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Sanders, Schmitt, Thompson, Tilly.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Second Substitute Senate Bill No. 2232 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2232 without the House amendments, and the bill passed the House by the following vote: Yeas, 53; nays, 27; not voting, 18.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Burns, Charette, Clayton, Clemente, Conner, Enbody, Erak, Fischer, Flanagan, Fortson, Fuller, Gaines, Gallagher, Gilleland, Greengo, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Knedlik, Knowles, Leckenby, Lee, Martinis, Maxie, May, McCormick, Moreau, North, O'Brien, Owen, Pearsall, Polk, Salatino, Shinoda, Taller, Thompson, Valle, Vrooman, Warnke, Wilson, Winsley, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Charnley, Craswell, Ehlers, Eng, Erickson, Grier, Grimm, Gruger, Hurley G. S., Keller, Kilbury, Kreidler, Lysen, McKibbin, Nelson D., Patterson, Pruitt, Sherman, Shinpoch, Smith, Sommers, Struthers, Walk, Whiteside, Williams.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Haley, King, Lux, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Sanders, Schmitt, Tilly.

Second Substitute Senate Bill No. 2232 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.

## MESSAGE FROM THE GOVERNOR

June 21, 1977

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 21, 1977, Governor Ray approved the following House bills, entitled:

SUBSTITUTE HOUSE BILL NO. 105: Revising a definition in economic development law.

**SUBSTITUTE HOUSE BILL NO. 138:** Continuing the Washington state commission on Asian-American affairs until June 30, 1983.

**SUBSTITUTE HOUSE BILL NO. 183:** Establishing procedures for guardianship of disabled persons.

**SUBSTITUTE HOUSE BILL NO. 217:** Increasing insurance coverage required for auto transportation companies to obtain certificate of operation.

**SUBSTITUTE HOUSE BILL NO. 292:** Changing water district comprehensive planning and finance law.

**SUBSTITUTE HOUSE BILL NO. 293:** Clarifying and changing sewer district finance law.

**SUBSTITUTE HOUSE BILL NO. 323:** Regulating lending practices of financial institutions.

**SUBSTITUTE HOUSE BILL NO. 353:** Revising the provisions of the law of compensating victims of crime.

**HOUSE BILL NO. 649:** Implementing law relating to cosmetology.

**SUBSTITUTE HOUSE BILL NO. 656:** Mandating certain public agencies to make surplus books, equipment, etc., available at depreciated cost to private schools.

**SUBSTITUTE HOUSE BILL NO. 674:** Revising laws relating to the sale or transfer of agricultural products.

**SUBSTITUTE HOUSE BILL NO. 697:** Mandating learning objectives for grades K-12 for statutorily required courses.

**SUBSTITUTE HOUSE BILL NO. 837:** Providing for preservation of the Mount Si and Little Si area.

**SUBSTITUTE HOUSE BILL NO. 874:** Modifying the conditions for receiving state funds for probation services.

**SUBSTITUTE HOUSE BILL NO. 1184:** Authorizing salmon enhancement facilities bonds.

Sincerely,  
Joe Zaspel, Legislative Assistant.

#### MESSAGES FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate receded from its amendments to **HOUSE BILL NO. 623** and passed the bill, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The Senate has concurred in the House amendments to **REENGROSSED SUBSTITUTE SENATE BILL NO. 2034**, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The President has signed:

**SUBSTITUTE SENATE BILL NO. 2034**,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to **SUBSTITUTE SENATE BILL NO. 2235**, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 21, 1977

Mr. Speaker:

The Senate has concurred in the House amendment to **SUBSTITUTE SENATE BILL NO. 2274**, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 21, 1977

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2714,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 255,  
SUBSTITUTE SENATE BILL NO. 2034.

## REPORT OF CONFERENCE COMMITTEE

June 21, 1977

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, adopting the 1977-79 capital budget, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Mardesich, Walgren, Scott; Representatives Polk, Warnke, McKibbin.

## MOTION

On motion of Mr. McKibbin, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MOTION

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

## RESOLUTIONS

HOUSE RESOLUTION NO. 77-66, by Representatives King and Berentson:

WHEREAS, The First Extraordinary Session of the Forty-fifth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the House after its adjournment and during the interim period prior to the next session;

BE IT RESOLVED, By the House of Representatives, That there is hereby created the Executive Rules Committee, which shall be chaired by the Speaker, and which shall consist of the Speaker and six additional members, all of whom shall be appointed by the Speaker from the Rules Committee. No more than four of the members may be from the same political party. The Chief Clerk of the House shall be the nonvoting secretary of the Committee; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee shall be deemed to be the appropriate body to fulfill the requirements established in subsections (2) and (3) of Rule 33 of the Joint Rules of the Forty-fifth Legislature; and

BE IT FURTHER RESOLVED, That immediately prior to adjournment sine die, all bills, memorials and resolutions shall be rereferred to committee, and the Executive Rules Committee shall approve the list of referrals; and

BE IT FURTHER RESOLVED, That during the interim between legislative sessions, standing committees may take executive action on bills in committee at the close of the previous legislative session. Committee reports adopted during the interim shall be read in under the proper order of business on the first day of the ensuing legislative session, and the bills so reported upon shall be referred to the Rules Committee for second reading; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is directed to complete the work of the First Extraordinary Session of the Forty-fifth Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House for the Regular and the First Extraordinary Sessions; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms is hereby directed to complete the necessary work of the First Extraordinary Session of the Forty-fifth Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture, and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be and they are hereby authorized and directed to retain such additional employees with the approval of the Speaker, as may be necessary to continue the interim work of the Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for any other business of the House of Representatives; and

BE IT FURTHER RESOLVED, That neither the Speaker nor the Chief Clerk shall approve or sign any personal service contract without the express approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and is hereby directed to draw his warrants for the payment of salaries, per diems, in lieu payments, and reimbursements of and to the members of the House of Representatives, the elected officers of the House of Representatives, and the retained employees each month upon vouchers signed by the members, officers, or employees and approved by the Speaker of the House of Representatives and by the Chief Clerk of the House of Representatives, and he is authorized to deliver the warrants to the Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

WHEREAS, New developments in legislative processes and administration are constantly occurring; and

WHEREAS, The substantive matters requiring legislative action are becoming increasingly complex; and

WHEREAS, The Council of State Governments, the National Conference of State Legislatures, and other organizations are offering in the next biennium a variety of training and continuing education courses and meetings on such subjects; and

WHEREAS, The participation in such activities by members of the House and Legislative staff will benefit the House in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker, in consultation with the Executive Rules Committee, may authorize the attendance of members and staff members at such courses or meetings as he may deem pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose; and

BE IT FURTHER RESOLVED, That members of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the per diem rate provided by RCW 44.04.120, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

BE IT FURTHER RESOLVED, That employees of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Speaker is authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the Legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate established by law; and

BE IT FURTHER RESOLVED, That the Chief Clerk is hereby authorized and directed, during the interim, and as authorized by the Speaker and the Employment Committee, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work promptly and efficiently, and to accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That after the adjournment of the First Extraordinary Session of the Forty-fifth Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speaker and the Chief Clerk of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to express the sympathy of the House by sending flowers in the event of a bereavement in a Representative's or Senator's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk be authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

On motion of Mr. King, House Resolution No. 77-66 was adopted.

HOUSE RESOLUTION NO. 77-58, by Representatives Heck, Smith, Boldt and Zimmerman:

WHEREAS, The House of Representatives has expressed doubts regarding the necessity of additional costs for school districts experiencing rapid student enrollment increases; and

WHEREAS, The Legislature has previously recognized the need for these extra costs by appropriating additional dollars per pupil in such affected school districts;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests that the Superintendent of Public Instruction have conducted a study of school districts which have, are having, or soon will have rapid student enrollment growth, the purpose of which study shall be to identify what additional costs, if any, are attendant with such enrollment growth, and to recommend a means of justly compensating those districts experiencing that rapid enrollment; and

BE IT FURTHER RESOLVED, That the office of the Superintendent of Public Instruction present its study of findings and recommendations to the House of Representatives no later than January 1978.

On motion of Mr. Heck, House Resolution No. 77-58 was adopted.

HOUSE RESOLUTION NO. 77-50, by Representatives Heck, Clemente, Hughes, Bauer, Whiteside, Barnes, Dunlap, McKibbin and Fortson:

WHEREAS, The goal of education is to enable students to become productive citizens; and

WHEREAS, The findings of a study conducted by the U. S. Office of Education have revealed that more than twenty-three million American adults, one in every five, are functionally illiterate and lack the basic know-how to function effectively in society; and

WHEREAS, Student performance in the Scholastic Aptitude Tests in 1975-76 failed to rise for the thirteenth consecutive year; and

WHEREAS, As the state of Washington assumes a larger share of the cost of financing public education, the quality of education becomes of even greater state-wide concern; and

WHEREAS, Washington state has taken an active role in developing the objectives of education through implementation of the learning objectives law; and

WHEREAS, While learning objectives have set teaching objectives, a policy which requires evaluation of a student's ability to obtain minimum literacy objectives has not been developed;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the state of Washington hereby directs the House Education Committee, in cooperation with the office of the Superintendent of Public Instruction, to conduct a study to determine the feasibility and desirability of minimum competency requirements for students graduating from the common school system and the factors, including financial, which affect students' abilities to meet those minimum competencies; and

BE IT FURTHER RESOLVED, That the House of Representatives directs the Education Committee to report its findings and recommendations with suggested legislation, if any, to the next session of the legislature.

On motion of Mr. Heck, House Resolution No. 77-50 was adopted.

HOUSE RESOLUTION NO. 77-63 by Representatives Ehlers, Charette, Conner, Salatino, Walk and Hughes:

WHEREAS, The legislature recognizes the need to receive comprehensive and timely data from state agencies, local governments, and private organizations in considering legislative proposals; and

WHEREAS, Evidence of such recognition is demonstrated in numerous laws which authorize or require such instrumentalities to furnish assistance of this kind; and

WHEREAS, A number of state agency appropriations have specified the amounts that may be expended providing information to the legislature; and

WHEREAS, Several organizations representing individual units of local government have been given statutory authority to use public funds for such purposes; and

WHEREAS, Selective statutory authorization may afford inequitable advantages to those which are so recognized in comparison with others which may have equally meritorious objectives;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the appropriations committee be directed to conduct a study of the organizational structure, sources of funding, amounts expended, and nature of the legislative activities of all state agencies and local organizations; and

BE IT FURTHER RESOLVED, That the goals of the study shall be to (1) determine the costs and benefits of varying forms of legislative representation; and (2) the relative advantages of agencies or organizations which have been statutorily recognized in comparison to those which have not; and

BE IT FURTHER RESOLVED, That the heads of state agencies and the officers of local public organizations be directed to cooperate with the committee in its inquiries; and

BE IT FURTHER RESOLVED, That the appropriations committee report its findings, together with any recommended legislation to the next regular session of the legislature.

On motion of Mr. Ehlers, House Resolution No. 77-63 was adopted.

HOUSE RESOLUTION NO. 77-61, by Representative Shinoda:

WHEREAS, Writing the biennial state budget is perhaps the most important task facing the Legislature, and certainly the most complex; and

WHEREAS, The pressures placed on first-term legislators to become immediately familiar with the multitudinous and diverse practices, procedures, rules, and customs of the Legislature necessarily limit their abilities to fully participate in the budget-writing process in a way most representative of their respective constituencies, particularly in light of the pressure placed on the entire Legislature to resolve the issues before them in an expeditious manner, and

WHEREAS, The now established concept of the Continuing Session affords an opportunity for granting greater participation by all new legislators in the budgetary process by establishing the state fiscal biennium and the electoral biennium on alternate cycles; and

WHEREAS, The passage of the budget is a time-consuming process even in the best of circumstances and our current session has extended to record-breaking lengths; and

WHEREAS, Such alternation of the start of a legislator's term and the commencement of the fiscal biennium would enable new legislators to become familiar with the legislative process in general before they would be expected to begin consideration of the most vital fiscal affairs of state government; and

WHEREAS, An alternation would enable new administrators of departments to submit budgets based on their own experience and factual knowledge and would also enable a new governor sufficient time to deliberate and prepare a budget based on better factual information and experience;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House Committee on Appropriations undertake and the Senate Committee on Ways and Means be requested to undertake a study of the possibility of and method by which the state budget cycle could be changed so that all legislators, administrators, and governor would have the opportunity to be actively involved for a greater period of time than the present six months in the preparation and passage of the biennial budget;

BE IT FURTHER RESOLVED, That such study shall include the evaluation of a rolling two-year budget, wherein final legislative approval would be given to the upcoming year's expenditures and projected expenditures outlined for the year following;

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send a copy of this resolution to the secretary of the Senate and the Governor.

Mr. Shinoda moved adoption of the resolution.

#### POINT OF INQUIRY

Mr. Shinoda yielded to question by Mr. Smith.

Mr. Smith: "Representative Shinoda, will this new budget process help us in getting out of the Legislature in something less than 163 days?"



Mr. Shinoda: "My main reason for introducing this resolution was that when you bring in one-third of the body as freshmen, and then turn us loose on the budget all at the same time, it's very difficult for the freshmen to put any input into the budget cycle. It takes a long time for us to come on board and get up speed with the senior members. My thought is that if we had a short session early on and a long session the second year, we would have one year as freshmen to study the budget process and the committee, and the Joint Committees of the Senate and House would be able to get the process rolling a little faster. I do think it would shorten the process. That's my intent."

House Resolution No. 77-61 was adopted.

#### APPOINTMENT OF INTERIM COMMITTEE

The Speaker appointed Representatives Bagnariol, Bauer, Berentson, King, Newhouse, O'Brien and Polk to the Executive Rules Committee.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 21, 1977

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, adopting the 1977-79 capital budget, have had the same under consideration, and we recommend that the House amendment not be adopted, that the Substitute Senate Bill be struck and the bill read as follows except for the language beginning on line 47, page 56 through line 6 on page 57 (the last paragraph of section 19):

"AN ACT Adopting the capital budget; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; prescribing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. A capital budget is hereby adopted and subject to the provisions hereinafter set forth the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1979, out of the several funds hereinafter named.

NEW SECTION. Sec. 2. Any capital improvements or capital project involving construction or major expansion of a state office facility, to include district headquarters, detachment offices, and off-campus faculty offices shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while insuring proper service to the public.

NEW SECTION. Sec. 3. As used in this act the following phrases shall have the following meanings:

- (1) 'GF, Cap Bldg Constr Acct' means General Fund—Capitol Building Construction Account;
- (2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
- (3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
- (4) 'General Fund—ORA' means General Fund—Outdoor Recreation Account;
- (5) 'Sal Enhmt Constr Acct' means Salmon Enhancement Construction Account;
- (6) 'GF, For Dev Acct' means General Fund—Forest Development Account;
- (7) 'GF, Res Mgmt Acct' means General Fund—Resource Management Account;
- (8) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
- (9) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—

Department of Social and Health Services Facilities;

- (10) 'DSHS Constr Acct' means State Social and Health Services Construction Account;
- (11) 'CEP & RI Acct' means Charitable, Educational, Penal and Reformatory Institutions Account;
- (12) 'MV Fund—State' means Motor Vehicle Fund—State;
- (13) 'GF, Fire Trng Constr Acct' means General Fund—Fire Training Construction Account;
- (14) 'WSU Bldg Acct' means Washington State University Building Account;
- (15) 'St H Ed Constr Acct' means State Higher Education Construction Account;
- (16) 'Off/Lab Constr Acct' means Office/Laboratory Construction Account;

- (17) 'Com Sch Constr Fund' means Common School Construction Fund;
- (18) 'EWSC Cap Proj Acct' means Eastern Washington State College Capital Projects Account;
- (19) 'TESC Cap Proj Acct' means The Evergreen State College Capital Projects Account;
- (20) 'Com Col Cap Impvmt Acct' means Community College Capital Improvement Account;
- (21) 'Com Col Cap Proj Acct' means Community College Capital Projects Account;
- (22) 'Com Col Cap Constr Acct' means 1975 Community College Capital Construction Account;
- (23) 'CWSC Cap Proj Acct' means Central Washington State College Capital Projects Account;
- (24) 'UW Bldg Acct' means University of Washington Building Account;
- (25) 'St Bldg Auth Constr Acct' means State Building Authority Construction Account;
- (26) 'WWSC Cap Proj Acct' means Western Washington State College Capital Projects Account;
- (27) 'WSU Constr Acct' means Washington State University Construction Account;
- (28) 'GF, PNW Fes Fac Constr Acct' means General Fund—Pacific Northwest Festival Facilities Construction Account; and
- (29) The words 'capital improvements' or 'capital projects' used herein shall mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

**NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Estimated Total Cost of Projects \$53,947,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
GF, Cap Bldg Constr Acct	2,097,000	3,395,000	5,492,000
GF, State Bldg Constr Acct	5,179,000	0	5,179,000
General Fund—ORA	0	2,708,000	2,708,000
General Fund—Outdoor Recreation			
Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.	0	959,000	959,000
General Fund—Outdoor Recreation			
Account Appropriation: Appropriated pursuant to section 4 (1) and/or (2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	0	3,500,000	
<b>Total Funds</b>	<b>7,276,000</b>	<b>10,562,000</b>	<b>17,838,000</b>

(1) Complete construction of Office Building No. 2, remodeling of Insurance Building, and structural renovation of Legislative Building.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		1,300,000	0
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
21,550,000	0	22,850,000	6/30/79

(2) Complete Insurance Building renovation.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		554,000	0
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
2,086,000	0	2,640,000	6/30/79

(3) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		200,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
105,000	0	305,000	6/30/79

(4) Modify computer area to include uninterruptible power source system, security system, air conditioning, and raised flooring for wiring raceways.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct:		50,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
989,000	0	1,039,000	9/1/77

(5) Extend steam lines to Employment Security Building.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		25,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
65,000	0	100,000	9/1/77

(6) Replace heating and cooling coils and rearrange dampers in the Highway Licenses Building, Employment Security Building, and Archives Building.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		200,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
88,000	0	288,000	11/1/77

(7) Replace existing deficient oil delivery and storage facility.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		225,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
32,000	0	257,000	12/31/77

(8) Complete landscaping of Office Building No. 2.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		50,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
218,000	0	268,000	8/1/77

(9) Renovate Old Capitol Building to conform to health and safety requirements of the Occupational Safety and Health Act, building and fire codes, and provide access to the handicapped and aged.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		3,558,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
22,000	0	3,580,000	11/1/79

(10) Remodel and maintain Capitol Campus buildings and grounds.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		160,000	1,240,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,052,000	0	2,402,000	1/1/78

(11) Maintain Deschutes Basin, dam, and area landscaping.

		REAPPROPRIATION	APPROPRIATION
GF, Cap Bldg Constr Acct		10,000	25,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
24,000	70,000	129,000	1/1/78

(12) Rehabilitate Capitol Lake by dredging lake bottom, disposing of sediment, and constructing settling basin and waterway improvements. The appropriations and reappropriations contained in this subsection shall be expended exclusively to rehabilitate Capitol Lake and shall be subject to the following conditions and limitations:

(a) No dredging, waterway improvement, sediment collection or disposal, or any other rehabilitation work or improvements shall be done on any portion of the lake south of the interstate highway bridge except to the extent such work is necessary to prevent substantial change in the present condition of such portion of the lake;

(b) The lake bottom shall be dredged and the sediment properly disposed of;

(c) A settling basin and waterway improvements shall be constructed;

(d) The department may acquire property which is contiguous to Percival Cove to be used for additional recreational and parking purposes;

(e) The department, in cooperation with the department of ecology, shall identify the extent and sources of pollution in the lake;

(f) The department shall consider all possible alternatives for the acquisition and operation of any equipment necessary for the purposes of this section and shall use the most cost effective of such alternatives.

	REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct	105,000	0
General Fund—ORA	0	958,000
General Fund—Outdoor Recreation Account appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.	0	959,000
<b>Total Funds</b>	<b>105,000</b>	<b>1,917,000</b>

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
320,000	823,000	3,165,000	6/30/83

(13) Extend Office Building No. 2 central control and monitoring system to other campus buildings.

	REAPPROPRIATION	APPROPRIATION	
GF, Cap Bldg Constr Acct	513,000	392,000	
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
50,000	0	955,000	1/31/79

(14) Design and construct campus street revisions and improvements for increased safety and upgraded circulation, and landscaping.

	REAPPROPRIATION	APPROPRIATION	
GF, Cap Bldg Constr Acct	0	575,000	
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
504,000	675,000	1,755,000	3/31/83

(15) Connect last five west campus buildings to central chiller plant.

	REAPPROPRIATION	APPROPRIATION	
GF, Cap Bldg Constr Acct	160,000	927,000	
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,087,000	6/30/79

(16) Provide an interruptible emergency power source for the Office Building #2 computers (service centers 1 and 3).

	REAPPROPRIATION	APPROPRIATION	
GF, Cap Bldg Constr Acct	0	236,000	
Project Costs Through 7/1/79 and	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	236,000	6/78

(17) Install central chiller plant, air conditioning, and remodel legislative facilities.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		166,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,870,000	0	2,036,000	11/30/77

(18) To acquire approximately 316 acres and 3000 feet of nontrust freshwater shoreline property in an urban area: PROVIDED, That the department of general administration shall contract with the parks and recreation commission to maintain the grounds for recreation purposes: PROVIDED FURTHER, That an additional \$1,750,000 of the secretary of the interior's land and water conservation contingency fund for outdoor recreation is received by February 15, 1978.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	1,750,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1) and/or (2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		0	3,500,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	5,250,000	6/79

NEW SECTION, Sec. 5. FOR THE MILITARY DEPARTMENT

Estimated Total Cost of Projects \$2,017,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund	679,000	0	679,000
GF, State Bldg Constr Acct	0	1,107,000	1,107,000
Total Funds	679,000	1,107,000	1,786,000

(1) Construct new 150-man armory to replace existing armory at Aberdeen.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		285,000	0
GF, State Bldg Constr Acct		0	33,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
12,000	0	330,000	9/30/78

(2) Construct new 100-man armory to replace existing leased facility at Ephrata.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		220,000	0
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
5,000	0	225,000	6/30/78

(3) Provide preconstruction moneys for architectural and engineering work on future projects.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		39,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	110,000	149,000	12/31/77

(4) Provide schematic planning funds for future projects at Tacoma, Vancouver, Walla Walla, and Yakima.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		20,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	32,000	52,000	12/31/77

(5) Acquire land and construct a new 400-man armory at Vancouver.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		50,000	0
GF, State Bldg Constr Acct		0	513,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	563,000	6/30/79

(6) Provide for minor construction and site improvements to include asphalt paving, fencing, storage buildings, lighting, and retaining walls.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		65,000	0
GF, State Bldg Constr Acct		0	36,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	72,000	173,000	6/30/83

(7) Construct and equip 600-man armory at Camp Murray to replace obsolete facility in Tacoma.

		REAPPROPRIATION	APPROPRIATION
GF, State Bldg Constr Acct		0	525,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	0	525,000	4/30/79

**NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Estimated Total Cost of Projects \$126,659,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	1,501,000	0	1,501,000
DSHS Constr Acct	26,289,000	17,910,000	44,199,000
CEP & RI Acct	169,000	672,000	841,000
GF, LIRA, DSHS Fac	18,445,000	0	18,445,000
Total Funds	46,404,000	18,582,000	64,986,000

The department shall provide a capital proposal to the 1978 legislative session which will provide the necessary security in the maintenance of the sexual psychopath program.

**NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTION PROGRAM**

Estimated Total Cost of Projects \$55,000,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	566,000	0	566,000
DSHS Constr Acct	10,000,000	11,044,000	21,044,000
CEP & RI Acct	95,000	522,000	617,000
Total Funds	10,661,000	11,566,000	22,227,000

(1) To provide fire and safety improvements, Washington State Penitentiary.

	REAPPROPRIATION		APPROPRIATION
General Fund—State		136,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
15,000	0	151,000	2/78

(2) For remodeling of dental areas, Washington State Penitentiary.

	REAPPROPRIATION		APPROPRIATION
CEP & RI Acct		0	145,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	145,000	10/78

(3) To provide preliminary design, working drawings, and construction for food service and kitchen area, Washington State Penitentiary.

	REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct	0	1,993,000



Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,993,000	10/79

(4) To convert former women's quarters to 50-bed minimum custody unit, Washington State Penitentiary.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	300,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	300,000	1/78

(5) To modify laundry facilities, Washington State Reformatory.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		60,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
70,000	0	130,000	6/79

(6) To modernize inmate residence living area, Washington State Reformatory.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		341,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
137,000	0	478,000	6/79

(7) To construct and equip maximum security facility, Washington State Reformatory, to be completed and in operation by August 15, 1979.

		REAPPROPRIATION	APPROPRIATION
DSH Constr Acct		10,000,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	0	10,300,000	6/79

(8) To provide fire and safety improvements, Washington State Reformatory.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	377,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	377,000	12/78

(9) To renovate and repair roofs, Washington Corrections Center.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	626,000
CEP & RI Acct		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
115,000	0	776,000	12/78

(10) To construct and equip work release housing unit, Indian Ridge Treatment Center.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		89,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
66,000	0	155,000	3/78

(11) To open and renovate work training release facility, Geiger Field.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	620,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	620,000	1/78

(12) To construct and equip two 100-bed honor camps.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	5,108,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	5,108,000	6/79

(13) To provide planning, design, and site selection funds for two maximum security facilities, one to have an intake/diagnostic unit. As a condition of this appropriation and the reappropriation provided in subsection (7) of this section, the department shall submit to the appropriate committees of the legislature no later than July 1, 1978, a plan which shall include: (a) Proposals to reduce the population at the penitentiary and reformatory to provide for single occupancy of the cells in the two institutions; (b) proposals to reduce the level of security affecting both personnel and physical plan to be commensurate with the reduction in inmate population; and (c) a classification system which reflects all current and pending physical plant changes throughout the adult corrections system.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	1,487,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	32,070,000	33,557,000	6/81

(14) To improve security of the mentally ill offenders facility at Eastern State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	100,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	100,000	9/77

(15) To renovate existing facilities at Eastern State Hospital for moderate secure treatment and a work/training residence.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	810,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	810,000	1/78

**NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION PROGRAM**

Estimated Total Cost of Projects \$1,628,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	15,000	0	15,000
CEP & RI Acct	0	60,000	60,000
DSHS Constr Acct	1,366,000	40,000	1,406,000
Total Funds	1,381,000	3,595,000	4,976,000

(1) To provide fire and safety improvements, Green Hill School.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		15,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
55,000	0	70,000	11/77

(2) To construct and equip four living units, Naselle Youth Camp.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		1,366,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
92,000	0	1,458,000	1/78

(3) For preliminary design and working drawings to replace boiler and remodel steam plant, Maple Lane School.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	40,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	40,000	9/79

(4) For preliminary design and working drawings to remodel dormitories at Mission Creek Youth Camp.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	15,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	15,000	12/78

(5) To expand and upgrade water system, Mission Creek Youth Camp.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	45,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	45,000	6/78

**NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE MENTAL HEALTH PROGRAM**

Estimated Total Cost of Projects \$13,856,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
DSHS Constr Acct	1,374,000	1,924,000	3,298,000
Total Funds	1,374,000	1,924,000	3,298,000

(1) To provide matching funds for construction and equipment of mental health wing, Children's Orthopedic Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		374,000	0
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
427,000	0	801,000	6/79

(2) Not later than January 1, 1978, the department shall provide the legislature with a revised project plan including reduced cost alternatives for constructing and equipping the new 32-bed residential facility at the child study and treatment center at Western State Hospital. No construction shall begin prior to approval of the revised project plan by the Senate Ways and Means Committee and the House Appropriations Committee.

(3) To provide design funds for 350-bed psychiatric hospital, Western State Hospital: PROVIDED, That such facility be designed to handle mentally ill offenders.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		700,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	6,285,000	6,985,000	6/80

(4) To renovate for accreditation, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	1,500,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,500,000	6/79

(5) Preliminary design and working drawings to renovate utilities and roofs, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	20,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	553,000	8/78

(6) To construct fuel storage and conveyor system, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	354,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	354,000	2/79

(7) Preliminary design and working drawings to construct elevated water tower, Western State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	50,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	668,000	3/79

(8) Preliminary and design drawings for 150-bed psychiatric hospital, Eastern State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		300,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	300,000	6/79

**NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE DEVELOPMENTAL DISABILITIES PROGRAM**

Estimated Total Cost of Projects \$22,278,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	920,000	0	920,000
DSHS Constr Acct	11,787,000	1,669,000	13,456,000
CEP & RI Acct	74,000	90,000	164,000
Total Funds	12,781,000	1,759,000	14,540,000

(1) To replace boilers, Phase II, Fircrest School.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		292,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
75,775	0	368,000	1/79

(2) To repair and upgrade utilities, working drawings for repair of water, electrical and steam systems, Fircrest School.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		133,000	1,309,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
33,000	0	1,475,000	1/79

(3) For working drawings to enclose courtyards, Fircrest School.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	10,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	91,000	5/78

(4) To renovate and construct, including upgrade of utilities and completion of Phase I, Rainier School.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		405,000	0
DSHS Constr Acct		2,650,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
136,000	7,218,000	10,409,000	6/81

(5) To renovate, construct, equip, to include completion of Phase I, Lakeland Village.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		4,612,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
158,000	0	4,770,000	9/78

(6) Not later than January 1, 1978, the department shall provide the legislature with revised plans for Phase II Lakeland Village. Such plans shall continue to include provisions for privacy for residents, but shall demonstrate more efficient and less costly building design and land use than the presently planned facilities and building configurations.

Such plan shall include but not be limited to:

- (a) Description and drawings of alternative facility plans.
- (b) Report of relationship of alternatives to required staffing.
- (c) Report of relationship of alternatives to effective energy conservation and efficient design.
- (d) Plans for consolidation or elimination of duplicative spaces.

No construction shall begin prior to approval of the revised plans by the Senate Ways and Means Committee and the House Appropriations Committee.

(7) To install new elevator for safety evaluation and traffic load, Yakima Valley School.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		125,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
10,000	0	135,000	9/77

(8) To provide fire alarms, School For The Blind.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		50,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date

6/30/77	Thereafter		
0	0	50,000	11/77

(9) To renovate kitchen, primary area, and Administration Building, School For The Blind.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		280,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
40,000	0	320,000	11/77

(10) To renovate and repair facilities and utility system, School For The Blind.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	360,000
CEP & RI Acct		0	40,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	400,000	7/78

(11) To provide fire and safety improvements, School For The Deaf.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		42,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	47,000	11/77

(12) To provide secondary source of power, School For The Deaf.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		44,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	44,000	11/77

(13) To remodel former superintendent's residence, School For The Deaf, to provide a recreation center for senior high students.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		30,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	30,000	10/77



(14) To demolish Watson Hall, School For The Deaf.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		18,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
26,000	0	44,000	10/77

(15) To provide for contractual design and construction costs for three state residential training centers and for purchase of community sites that meet neighborhood approval.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		4,100,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
122,000	0	4,222,000	9/78

**NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADMINISTRATIVE SERVICES AND SUPPORT SERVICES PROGRAM**

Estimated Total Cost of Projects \$33,897,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
DSHS Constr Acct	1,762,000	3,233,000	4,995,000
GF, LIRA, DSHS Fac	18,445,000	0	18,445,000
Total Funds	20,207,000	3,233,000	23,440,000

(1) To construct and equip community, Social and Health Services Facilities (Referendum 29).

		REAPPROPRIATION	APPROPRIATION
GF, LIRA, DSHS Fac		18,445,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
6,245,000	0	24,690,000	0

(2) To repair and improve utilities and facilities—Omnibus.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		1,200,000	1,000,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,467,000	0	3,667,000	6/79

(3) To provide contingency expenses on DSHS construction projects.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		202,000	300,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
383,000	0	885,000	6/79

(4) To provide for preplanning funds on future construction projects (1977-81).

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		200,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
239,000	0	439,000	6/79

(5) To research, design, and implement energy conservation and solar heating principles, both passive and active.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		160,000	433,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
123,000	0	716,000	6/79

(6) To convert the existing facility at Northern State Hospital.

		REAPPROPRIATION	APPROPRIATION
DSHS Constr Acct		0	1,500,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,500,000	1/78

**NEW SECTION, Sec. 12. FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

Estimated Total Cost of Projects \$9,354,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	239,000	219,000	458,000
General Fund—Federal	3,595,000	893,000	4,488,000
DSHS Constr Acct	2,144,000	519,000	2,663,000
CEP & RI Acct	200,000	0	200,000
Total Funds	6,178,000	1,631,000	7,809,000

(1) To provide fire, safety and health improvements at the Veterans' Home and Soldiers' Home including construction of a 78-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home.

	REAPPROPRIATION	APPROPRIATION
General Fund—State	186,000	0
General Fund—Federal	3,464,000	578,000

CEP & RI Acct		200,000	0
DSHS Constr Acct		1,935,000	519,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,520,000	0	8,402,000	6/79

(2) To repair sewer, Soldiers' Home.

REAPPROPRIATION      APPROPRIATION

DSHS Constr Acct		209,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
8,000	0	217,000	4/78

(3) To replace boilers at Soldiers' Home.

REAPPROPRIATION      APPROPRIATION

General Fund—State		0	169,000
General Fund—Federal		0	315,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	484,000	6/79

(4) To replace boilers at Veterans' Home.

REAPPROPRIATION      APPROPRIATION

General Fund—State		53,000	0
General Fund—Federal		131,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
17,000	0	201,000	3/78

(5) To repair and improve utilities and facilities—Omnibus.

REAPPROPRIATION      APPROPRIATION

General Fund—State		0	50,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	50,000	6/79

NEW SECTION. Sec. 13. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

Estimated Total Cost of Projects \$20,000,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
GF, PNW Fes Fac Constr Acct	0	5,000,000	5,000,000
General Fund—Federal	0	15,000,000	15,000,000
Total Funds	0	20,000,000	20,000,000

To construct a Pacific Northwest Festival Facility.

		REAPPROPRIATION	APPROPRIATION
GF, PNW Fes Fac Constr Acct		0	5,000,000
General Fund—Federal		0	15,000,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000,000	6/30/79

No portion of the appropriations contained in this section shall be expended until the state is in receipt of \$15,000,000 from the federal government, or so much thereof as to equal a 3 to 1 match, and which is sufficient to complete and make operational at least one of the three planned theatres in a phased construction plan. Should federal legislation dictate that the facility be owned by the federal government, the state moneys in this appropriation shall be granted to such federal administering agency which is representing the federal government: PROVIDED, That the federal matching funds shall be available by January 31, 1979.

NEW SECTION. Sec. 14. FOR THE DEPARTMENT OF ECOLOGY

	Estimated Total Cost of Projects		\$6,836,800
	Biennial Amounts By Fund Source		
	Carryover	Current	Total
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)	2,237,000	2,071,200	4,308,200
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)	616,000	378,600	994,600
Total Funds	2,853,000	2,449,800	5,302,800

(1) To construct ground water observation wells.

		REAPPROPRIATION	APPROPRIATION
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)		124,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
451,000	700,000	1,276,000	6/30/79

(2) To construct sanitary facilities at various state parks and Department of Social and Health Services institutions including sewage and sink waste disposal and sewage treatment facilities as provided by chapter 127, Laws of 1972 ex. sess.

REAPPROPRIATION      APPROPRIATION

General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)		2,037,000	
(a) Paradise Point			20,300
(b) Larrabee			20,300
(c) Conconully			42,200
(d) Yakima Sportsman			104,200
(e) Deception Pass			28,000
(f) Westport Light			36,000
(g) Ocean City			26,600
(h) Birch Bay			306,400
(i) Lake Wenatchee			8,300
(j) Mount Spokane			20,100
(k) South Whidbey			38,300
(l) Twanoh			64,700
(m) Fort Flagler			184,700
(n) Fay Bainbridge			30,100
(o) Ginkgo/Wanapum			10,000
(p) Sacajawea			93,300
(q) Dash Point			230,200
(r) Bogachiel			27,100
(s) Region II—Drainfields and septic tanks replacement in 2 parks			10,600
(t) Potholes			4,700
(u) Camp Wooten (ELC)			83,600
(v) Region II—120 sink waste drains in 13 parks			57,800
(w) Region I—Drainfield and septic tank replacement in 11 parks			57,700
(x) Region III—61 sink waste drains in 14 parks			33,100
(y) Region III—Solid waste transfer facilities in 9 parks			27,700
(z) Region III—Drainfield and septic tank replacement in 4 parks			25,700
(aa) Riverside			138,000
(bb) Oyehut—Ocean Beach Access			12,100
(cc) Region I—Solid waste transfer facilities in 3 parks			8,300
(dd) Region II—Solid waste transfer facilities in 14 parks			37,900
(ee) Dosewallips			18,100
(ff) Moran			225,000
(gg) Fields Spring			10,000
(hh) San Juan Islands			30,100

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,226,000	0	5,334,200	6/30/79

(3) To construct water supply facilities at various state parks as provided by chapter 128, Laws of 1972 ex. sess.

General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27)

	492,000	
(a) Lake Chelan		25,400
(b) Deception Pass		7,200
(c) Fort Flagler		94,800
(d) Ocean City		15,000
(e) Kitsap Memorial		31,300
(f) Lyons Ferry		7,900
(g) Sun Lakes		16,500
(h) Lewis and Clark		17,000
(i) Loomis Lake		19,000
(j) Spencer Spit		10,000
(k) Sacajawea		6,600
(l) Belfair		18,000
(m) Lake Cushman		5,800
(n) Camp Wooten		29,200
(o) Fields Spring		18,100
(p) Jarrell Cove		7,400
(q) Ginkgo/Wanapum		11,300
(r) Bogachiel		25,400
(s) Beacon Rock		12,700

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
356,000	0	1,226,600	6/30/79

(4) For acquisition only of land in the Hanford Reservation. Said land to be held without development for hazardous waste disposal purposes until further authorization by the legislature and only after receipt by the legislature of hydrological and geological site surveys as well as other environmental data.

**REAPPROPRIATION      APPROPRIATION**

General Fund—State and Local Improvements Revolving Account Appropriation—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26)

		200,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	200,000	12/7/77

**NEW SECTION. Sec. 15. FOR THE STATE PARKS AND RECREATION COMMISSION**

Estimated Total Cost of Projects \$15,481,250

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
General Fund	179,000	0	179,000
General Fund—ORA	1,169,000	1,212,000	2,381,000
General Fund—Outdoor Recreation			

Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of

1972 ex. sess. (Referendum 28)	1,709,000	865,000	2,574,000
General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	3,569,000	2,878,250	6,447,250
Total Funds	6,626,000	4,955,250	11,581,250

(1) To provide for unanticipated restoration and repairs to existing state park facilities.

	REAPPROPRIATION		APPROPRIATION
General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities: Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	0		222,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	500,000	922,000	6/30/83

(2) To construct, repair, and improve state park facilities.

	REAPPROPRIATION		APPROPRIATION
General Fund—State	179,000		0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	179,000	6/30/79

(3) Schematics and preplanning as provided by chapter 129, Laws of 1972 ex. sess.

	REAPPROPRIATION		APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	120,000		0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	120,000	6/30/79

(4) Fort Ebey campground development.

	REAPPROPRIATION		APPROPRIATION
General Fund—ORA	0		100,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	272,000		100,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	472,000	6/30/79

(5) Manchester campground development.

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		345,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	236,000	581,000	6/30/79

(6) Fort Columbia State Park building and interpretive display renovation.

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		0	40,000
General Fund—State and Local Improvement Revolving Account Appropriation—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		0	40,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	80,000	6/30/79

(7) Deception Pass final acquisition around Pass Lake.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	200,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)			
		0	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
928,000	0	1,328,000	6/30/79

(8) Reed Island—Initial development of the park.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	12,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	12,000	6/30/79



(9) Modernization and improvements at various parks as provided by section 4(3), chapter 129, Laws of 1972 ex. sess.

	REAPPROPRIATION	APPROPRIATION
General Fund—State and Local Improvement Revolving		
Account Appropriation—Public Recreation Facilities;		
Appropriated pursuant to section 4(3), chapter 129,		
Laws of 1972 ex. sess. (Referendum 28)	3,569,000	
(a) Fort Worden Conference Center		763,600
(b) Deception Pass		152,000
(c) Lake Wenatchee		16,900
(d) Lake Chelan		40,400
(e) Dash Point		102,600
(f) Twanoh		167,500
(g) Twin Harbors		98,300
(h) Peace Arch		8,900
(i) Pearrygin Lake		80,000
(j) Camp Wooten (Camp Wooten ELC)		54,600
(k) Bridle Trails		28,200
(l) Rainbow Falls		70,900
(m) Curlew Lake		29,400
(n) Illahee		40,400
(o) Fort Canby		34,400
(p) Ocean City		18,800
(q) Fort Flagler		226,300
(r) Lake Osoyoos		99,500
(s) Ginkgo/Wanapum		29,100
(t) Region I—Reforestation and construction of fire protection trails in 8 parks		30,000
(u) Region II—Reforestation and construction of fire protection trails in 5 parks		29,000
(v) Region III—Reforestation and construction of fire protection trails in 3 parks		6,000
(w) Fields Spring		35,600
(x) Dosewallips		103,400
(y) Sequim Bay		16,300
(z) Fort Okanogan		29,100
(aa) Beacon Rock		9,300
(bb) Mount Spokane		45,750
(cc) Wenberg		13,400
(dd) Maryhill—House		44,100
(ee) Federation Forest—House		40,000
(ff) Lake Cushman—House		40,000
(gg) Horsethief Lake—House		41,000
(hh) Bogachiel—House		40,000
(ii) Camp Wooten (ELC)		6,500
(jj) Peace Arch		5,400
(kk) Kitsap Memorial		19,600

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,248,000	0	7,433,250	6/30/79

(10) Haley property, land and frontage acquisition on Case Inlet.

	REAPPROPRIATION		APPROPRIATION
General Fund—ORA		0	150,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		0	150,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	600,000	900,000	1/83

(11) Acquisition and development, including park sites, boating facilities, and historical and archaeological sites, excluding the Mercer Slough acquisition.

	REAPPROPRIATION		APPROPRIATION
General Fund—ORA		1,169,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		692,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
598,000	0	2,459,000	6/30/79

(12) For acquisition and development of an ocean beach scenic corridor between Fort Casey state park and Fort Ebey state park up to a maximum width of four hundred feet.

	REAPPROPRIATION		APPROPRIATION
General Fund—ORA		0	375,000
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.		0	375,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	750,000	12/77

(13) Mercer Slough additional land acquisition.

	REAPPROPRIATION		APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		280,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	280,000	6/30/79

(14) Acquisition of land at Dash Point for state park.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		0	375,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	375,000	N/A

The appropriation contained in this subsection is for the acquisition of 124 acres adjacent to Dash Point state park giving that tidelands park adequate area to serve the large metropolitan population in its area.

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF FISHERIES

Estimated Total Cost of Projects \$65,796,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—Federal	945,000	3,073,000	4,018,000
GF, Fish Cap Proj Acct	2,555,000	4,840,000	7,395,000
General Fund—ORA	457,000	1,189,000	1,646,000
General Fund—Outdoor Recreation			
Account as provided by chapter 129, Laws of 1972 ex. sess.	560,000	596,000	1,156,000
Sal Enhmt Constr Acct	0	31,381,000	31,381,000
Total Funds	4,517,000	41,079,000	45,596,000

The appropriations contained in subsections (6) through (41) of this section shall be subject to the following conditions and limitations:

The productivity of any salmon propagation facility is very dependent on water quantity and quality. Since there is a limited number of water sources which meet the critical needs of a facility it is imperative that these sources are acquired. Therefore, site acquisitions and preliminary design shall be considered by the department as generally having priority over project development in the allocation of funds;

Prior to expending any moneys for the construction and development of any particular salmon propagation facility, except for site acquisition and preliminary design, the department shall give consideration to the following factors with respect to that facility:

The department's management authority over propagated salmon;

The level of expected Canadian interception on the propagated salmon and whether this would be acceptable;

Whether an acceptable agreement has been reached on the status of treaty Indian salmon harvest; and

Whether there can be a maximum harvest of propagated salmon with a tolerable impact on other salmonoid stocks, both natural and artificial, and on their environment. The department shall consult on this matter with the department of game;

To aid and advise the department in the performance of its functions as specified herein with regard to the salmon enhancement program, a salmon advisory council shall be created. The advisory council shall consist of ten members appointed by the governor; the director of the department of fisheries, who shall be chairman; the director of the department of game; one member of the senate to be appointed by the president of the senate; and one member of the house of representatives to be appointed by the speaker of the house of representatives. Of the appointive members two shall represent troll fishermen; two shall represent gillnet fishermen, of which one shall be from the Puget Sound area and one from the southwest Washington area; one shall represent purse seine fishermen; one shall represent owners of charter boats; two shall represent sportsmen; and two shall represent fish processors, of which one shall represent fresh or frozen fish processors and one shall represent canneries.

The advisory council shall be convened by the director prior to the decision to expend any funds for construction and development of any salmon propagation facility listed in subsections (6) through (41) of this section. The council shall advise the director with regard to the considerations listed herein and any other factors the council deems relevant with respect to the proposed facility.

Terms of the appointive members shall not exceed two years and shall continue until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

The director of the department of game, or his designee, shall receive reimbursement for travel expenses incurred in the performance of his duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. The legislative members or their designees, shall be deemed engaged in legislative business while in attendance upon the business of the council and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120 as now existing or hereafter amended.

Not more than the following amounts as listed in subsections (6) through (41) of this section shall be expended for the site acquisition, preliminary design, construction and development of such hereinabove described projects, which are ranked after site acquisition and exploration, survey, and design in order of their estimated benefit/cost ratio, with the project having the highest benefit/cost ratio being listed first.

(1) Renovations and improvements to meet safety, health and environmental regulations: PROVIDED, That all upgrading of domestic water supply facilities at all state hatcheries be completed by September 1, 1978.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	1,161,000
General Fund—Federal		0	813,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
681,000	2,600,000	5,255,000	6/30/83

(2) Replacements and alterations to maintain current production at various locations, state-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	2,053,000
General Fund—Federal		0	349,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
22,000	555,000	2,979,000	7/1/83

(3) Projects to improve operation and production efficiency at existing facilities.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	1,368,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion
Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	5,006,000	6,374,000	7/1/83

(4) Construction and improvements for shellfish research and production—State-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		0	258,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	480,000	738,000	7/1/81

(5) Fisheries related recreation activity—State-wide including acquisition and development of access facilities, boat launching facilities, and tour facilities at hatcheries.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		457,000	1,189,000
General Fund—Outdoor Recreation Account as provided by chapter 129, Laws of 1972 ex. sess. (Referendum 28)		560,000	596,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
125,000	6,825,000	9,752,000	6/30/83

(6) Land purchase for enhancement.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	2,165,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	2,165,000	7/1/79

(7) Exploration, survey, and preliminary design.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	386,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
300,000	700,000	1,386,000	7/1/79

(8) To construct and develop Skykomish Hatchery ground water system project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	137,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	137,000	11/30/78

(9) To construct and develop Percival Cove project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	348,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	348,000	12/31/78

(10) To construct and develop Johns Creek project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		190,000	0
GF, Fish Cap Proj Acct		190,000	0
Sal Enhmt Constr Acct		0	370,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	0	770,000	10/31/78

(11) To construct and develop streamside gravel incubators.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	339,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	339,000	9/31/78

(12) To construct and develop Klickitat acclamation pond.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	354,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	354,000	1/31/79

(13) To construct and develop Lewis River release pond.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	844,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	844,000	6/30/79

(14) To construct and develop Schorno Springs Pond—Nisqually River project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,008,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	1,008,000	6/30/79

(15) To construct and develop Bear Springs project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	228,000
Sal Enhmt Constr Acct		0	228,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	456,000	7/1/79

(16) To construct and develop Cedar River Springs rearing ponds.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	471,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	471,000	6/30/79

(17) To construct and develop Icy Creek rearing ponds.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	459,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	459,000	12/31/78

(18) To construct and develop Hunter Springs Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,408,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,408,000	12/31/78

(19) To construct and develop Cedar River gravel incubators.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	103,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	103,000	11/30/77

(20) To construct and develop Satsop Springs Pond project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	299,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	299,000	10/31/78

(21) To construct and develop Toutle River Hatchery project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	570,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	570,000	1/31/79

(22) To construct and develop Case Inlet project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	685,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	685,000	6/30/79

(23) To construct and develop Weyco Pond project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	168,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	168,000	10/31/78

(24) To construct and develop Hupp Springs project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	168,000
GF, Fish Cap Proj Acct		116,000	0
Sal Enhmt Constr Acct		0	168,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,000	0	456,000	6/30/78

(25) To construct and develop Cowlitz Hatchery rearing pond.



		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,160,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
92,000	0	1,252,000	6/30/79

(26) To construct and develop McAllister Springs Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	2,278,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
100,000	0	2,378,000	12/31/78

(27) To construct and develop Nooksack Hatchery expansion project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	3,239,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	3,239,000	3/31/79

(28) To construct and develop Lewis River Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,969,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,969,000	12/31/79

(29) To construct and develop Wynoochee River rearing ponds.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,131,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	1,131,000	3/31/79

(30) To construct and develop Lower Skagit River project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,790,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	0	1,790,000	7/1/79

(31) To construct and develop the spawning gravel restoration project.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		45,000	0
Sal Enhmt Constr Acct		0	520,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
192,000	0	757,000	6/30/79

(32) To construct and develop Simpson Hatchery additional pumps and distribution system.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	145,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	145,000	10/31/78

(33) To construct and develop South Fork Willapa Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,767,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,767,000	12/31/79

(34) To construct and develop Allison Springs Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	538,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	538,000	6/30/79

(35) To construct and develop the Skookumchuck Creek project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	615,000
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	615,000	9/30/78

(36) To construct and develop Cedar River spawning channel.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	859,000
Sal Enhmt Constr Acct		0	859,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,718,000	6/30/79

(37) To construct and develop Hurd Creek water supply.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	262,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	262,000	6/30/79

(38) To construct and develop Kalama Falls Hatchery release pond and water supply project.

		REAPPROPRIATION	APPROPRIATION
General Fund—Federal		0	656,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	656,000	9/30/78

(39) To construct and develop Stillaquamish River Hatchery.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	1,144,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,144,000	5/31/80

(40) To construct and develop Garrison Springs Hatchery—Chambers Creek trap and holding project.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	139,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	139,000	9/30/78

(41) To construct and develop the Naselle Salmon Complex.

		REAPPROPRIATION	APPROPRIATION
Sal Enhmt Constr Acct		0	3,315,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	3,315,000	7/1/79

(42) To complete various enhancement projects state-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Fish Cap Proj Acct		2,204,000	0
General Fund—Federal		755,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
2,648,000	0	5,607,000	6/30/79

NEW SECTION, Sec. 17. FOR THE DEPARTMENT OF GAMEEstimated Total Cost of Projects \$49,561,582

## Biennial Amounts By Fund Source

	Carryover	Current	Total
Game Fund—State	213,875	2,142,738	2,356,613
Game Fund—Federal	802,125	1,041,344	1,843,469
Game Fund—Local	19,000	204,000	223,000
General Fund—ORA	350,000	0	350,000
General Fund—Outdoor Recreation			
Account appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	350,000	0	350,000
Total Funds	1,735,000	3,388,082	5,123,082

(1) Critical resource acquisition, acquire lands for wildlife habitat, wildlife recreation, and public hunting state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		115,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		115,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
10,308,000	17,060,000	27,598,000	6/30/83

(2) Land acquisition, freshwater shorelands, acquire lands to provide public access to inland waters state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		10,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		10,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,938,000	1,178,000	3,136,000	6/30/83

(3) Critical resource development, develop lands to provide recreational opportunities for the public state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		120,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		120,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
908,000	2,088,000	3,236,000	6/30/83

(4) Freshwater shorelands development, development of facilities to provide public access to inland waters state-wide.

		REAPPROPRIATION	APPROPRIATION
General Fund—ORA		105,000	0
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		105,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,762,000	2,840,000	5,812,000	6/30/83

(5) Major repairs and replacements, provision of funds for unanticipated capital improvements at existing facilities.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	100,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
100,000	200,000	400,000	6/30/83

(6) Snow Creek Research Station, complete construction of fish culture research station.

	REAPPROPRIATION	APPROPRIATION
Game Fund—Federal	530,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
100,000	0	630,000	6/30/79

(7) Lower Columbia study, fish production feasibility study for the lower Columbia River.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Federal		65,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	70,000	12/31/77

(8) Naches Hatchery, water supply development for raceways and hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		115,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
20,000	0	135,000	10/30/77

(9) Olympia Office Annex landscaping.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		2,500	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,500	0	8,000	7/29/77

(10) To construct Sunnyside WRA Irrigation System.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		4,000	0
Game Fund—Federal		12,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
16,000	0	32,000	7/30/77

(11) To construct pollution abatement facilities at the Skamania Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Federal		175,000	0
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
212,000	0	387,000	9/1/77

(12) To construct pollution abatement facilities at the Beaver Creek Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Federal		0	581,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	581,000	6/30/79

(13) Wells Wildlife Recreation Area (WRA), development of irrigation system for wildlife cover.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		0	89,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	89,000	6/30/79

(14) To construct ten miles of boundary fence around Wells Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		15,000	83,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	98,000	6/30/79

(15) To construct an equipment and storage shop at Wells Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		0	32,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	32,000	6/30/79

(16) Vancouver Hatchery, connect sewer to municipal system to meet codes.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	16,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	16,000	6/30/79

(17) To construct residences at L.T. Murray and Snoqualmie Wildlife Recreation Areas.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	22,500
Game Fund—Federal		0	67,500
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	90,000	6/30/79

(18) Develop irrigation system for wildlife species maintenance at Sherman Creek Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	8,000
Game Fund—Federal		0	24,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	32,000	6/30/79

(19) To construct seed storage facility at McNary Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	700
Game Fund—Federal		0	2,100
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	2,800	6/30/79

(20) To construct hay and feed barn at L.T. Murray Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	13,931
Game Fund—Federal		0	41,794
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	55,725	6/30/79

(21) To construct rearing pond at Calawah-Rayonier Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—Local		4,000	0
Game Fund—Federal		4,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
27,000	0	35,000	7/30/77



(22) To construct intake revision system at Chambers Creek.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		3,000	0
Game Fund—Federal		3,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,000	0	9,000	7/30/77

(23) Dingell-Johnson, feasibility study on fish impoundment projects.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	1,500
Game Fund—Federal		0	4,500
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	6,000	6/30/79

(24) Purchase and install irrigation system for habitat development at Gloyd Seeps Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	5,250
Game Fund—Federal		0	15,750
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	21,000	6/30/79

(25) To construct habitat area and wildlife recreation area boundary fencing state-wide.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	46,753
Game Fund—Federal		0	140,257
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	185,000	372,010	6/30/83

(26) To construct storage building for farm machinery at Mount Vale ranch.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	4,875
Game Fund—Federal		0	14,625
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
0	0	19,500	6/30/79

(27) Improvement of water fowl hunting area at Sunnyside Wildlife Recreation Area by raising Griffin Lake.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	4,875
Game Fund—Federal		0	14,625
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	19,500	6/30/79

(28) To construct and/or improve one mile of dike to protect production and recreation land at Skagit Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	5,250
Game Fund—Federal		0	15,750
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	21,000	6/30/79

(29) To construct shop and storage area for equipment at the McNary Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	4,500
Game Fund—Federal		0	13,500
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	18,000	6/30/79

(30) To construct shop and storage area for equipment at Skagit Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	6,175
Game Fund—Federal		0	18,525
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	24,700	6/30/79

(31) To construct storage shed at Columbia Basin Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		4,375	0
Game Fund—Federal		13,125	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
13,000	0	30,500	9/30/77

(32) Purchase and install irrigation system for habitat development at Sinlahekin Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	5,500
Game Fund—Federal		0	16,500
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	22,000	6/30/79

(33) To construct shop and equipment storage building at Snoqualmie Wildlife Recreation Area.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	6,675
Game Fund—Federal		0	20,025
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	26,700	6/30/79

(34) To construct Phase II of development of major trout production facility at the Waikiki Brood Pond at Spokane.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		70,000	414,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
30,000	713,000	1,227,000	9/30/77

(35) Move five brooder houses from Auburn Game Farm to South Tacoma Game Farm, and repair or replace brooder and holding pens state-wide.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	262,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	275,000	537,000	6/30/81

(36) Survey to establish boundaries of Wildlife Recreation Areas.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	8,300
Game Fund—Federal		0	24,950
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	33,250	6/30/79

(37) To construct and maintain fences state-wide.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		15,000	160,954
Game Fund—Federal		0	25,943
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
54,000	167,000	422,897	6/30/83

(38) Install areator in water supply to reduce trout mortality at Arlington Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	15,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	15,000	6/30/79

(39) To construct combination garage and storage building at the South Tacoma Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	14,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	14,000	6/30/79

(40) To construct concrete troughs to replace obsolete metal troughs.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	7,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	7,000	6/30/79

(41) To construct new residence at the Naches Hatchery.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	45,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	45,000	6/30/79

(42) Remodel existing storage area at Olympia warehouse to provide 3,300 square feet of office space and parking.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	80,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	107,000	187,000	6/30/81

(43) Auburn Game Farm Consolidation—Distribute existing Auburn facilities to Whidbey Island, South Tacoma, and Lewis County Game Farms, and sell Auburn Game Farm.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	235,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	235,000	6/30/79

(44) Relocate Auburn shop activities to Olympia after sale of Auburn Game Farm.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	1,546,000	2,121,000	6/30/83

(45) To construct underground electrical and telephone service lines to the Seward Park Hatchery, and remove overhead distribution system.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	25,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	25,000	6/30/79

(46) Site improvements—Paving and landscaping at Spokane and Ephrata offices.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	11,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	18,000	29,000	6/30/79

(47) Purchase of portable fish disease laboratory, and renovation of Puyallup laboratory.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	25,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	25,000	6/30/79

(48) Remodeling of Vancouver Game Office for increased capacity.

		REAPPROPRIATION	APPROPRIATION
Game Fund—State		0	13,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	13,000	6/30/79

(49) Notwithstanding any other provision of this section to the contrary, all capital projects relating to the Auburn Game Farm and shops shall be contingent upon the sale of the Auburn Game Farm at a sale value of not less than \$1,500,000 and final approval by the Office of Program Planning and Fiscal Management. Funds received from the sale of the Auburn Game Farm shall be deposited in the game fund—state.

**NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Estimated Total Cost of Projects \$41,340,278

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
General Fund—State	25,500	296,750	322,250
GF, For Dev Acct	387,000	700,000	1,087,000
GF, Res Mgmt Acct	5,538,500	10,382,250	15,920,750
CEP & RI Acct	0	198,000	198,000
General Fund—ORA	451,000	1,047,661	1,498,661
General Fund—Outdoor Recreation			
Account as provided by chapter 129, Laws of 1972 ex. sess.	414,000	897,617	1,311,617
<b>Total Funds</b>	<b>6,816,000</b>	<b>13,522,278</b>	<b>20,338,278</b>

(1) To construct southeast area office at Ellensburg. Construction of new headquarters complex in Kittitas County: PROVIDED, That the proceeds from the sale of the existing Ellensburg complex be deposited in the state general fund.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	259,000
GF, Res Mgmt Cost Acct		0	259,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
0	0	518,000	10/31/78

(2) Northwest area building renovation. Construction of additional space to provide office and timber sale auction facility.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		71,000	280,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	351,000	10/31/78

(3) To construct roads and bridges for access to state timber lands state-wide.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		1,914,000	1,517,000
GF, For Dev Acct		387,000	500,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,484,000	3,000,000	9,802,000	6/30/83

(4) To construct irrigation systems to convert existing unproductive acreage to income producing land.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		2,845,000	4,923,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,490,000	4,000,000	13,258,000	6/30/83

(5) Right of way acquisition to permit access to state timber lands and lands with potential commercial development.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	740,000
GF, For Dev Acct		0	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	2,000,000	2,940,000	6/30/83

(6) Forks seedling storage.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		8,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/77	7/1/79 and Thereafter	Costs	Date
8,000	0	16,000	6/30/79

(7) Land development and tideland facilities, preparation of sites for commercial development.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		385,000	1,660,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
122,000	2,000,000	4,167,000	6/30/83

(8) To construct lookout replacement.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	10,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	20,000	30,000	6/30/83

(9) Larch Mountain, provide hydraulic hoist in auto shop for vehicle maintenance.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	6,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	6,000	6/30/78

(10) To construct chemical and paint storage facility at Larch Mountain.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	20,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000	9/30/77

(11) To construct storage building at Larch Mountain for storage of fire fighting vehicles and equipment.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	12,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	12,000	6/30/79



(12) To construct Hoh-Clearwater office, lab, and storage.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	55,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	55,000	10/31/78

(13) To construct addition to body shop for furnace and paint storage to meet fire codes.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	1,750
GF, Res Mgmt Cost Acct		0	1,750
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	3,500	6/30/79

(14) Youth and Honor Camp road and bridge materials.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	150,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	300,000	450,000	6/30/79

(15) To construct reforestation roads—Construction of access roads to isolated timber stands in need of rehabilitation.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	612,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	85,000	697,000	6/30/83

(16) Recreation—Interagency Committee for Outdoor Recreation (IAC) projects—Implementation of IAC approved budget for acquisition and development of recreation facilities state-wide.

	REAPPROPRIATION	APPROPRIATION
General Fund—ORA	451,000	1,047,661
General Fund—Outdoor Recreation Account as provided by section 4(1), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	414,000	897,617

The appropriations contained in this subsection shall be expended so that not more than the following amounts listed for each of the following projects shall be expended:

(a) Foss Cove/Eagle Cliff on Cypress Island, Skagit County	119,500
(b) Cattle Point Lighthouse on San Juan Island development	41,500
(c) Mima Mounds stage 2 acquisition	176,000
(d) Douglas Falls near Colville	93,500
(e) Homestead redevelopment in Spokane County	79,500
(f) Yahoo Lake near Queets acquisition	17,500
(g) Mima Mounds stage I development	119,000
(h) Black River boat trail acquisition	18,000
(i) River Bend in Skagit County boating and camping development	79,500
(j) Cypress Head on Cypress Island in Skagit County—Development	75,500
(k) Overland Trail in Kitsap and Mason Counties to develop 14 miles of trail	66,000
(l) Samish Island parking acquisition (Skagit County)	25,000
(m) Yacolt Trail 3 mile extension (Clark County)	25,000
(n) Margaret McKenny expansion Capitol Forest, acquisition	6,000
(o) Blanchard Trail and Trailhead development (Skagit County)	38,500
(p) Lily Lake development (Skagit County)	34,000
(q) Howell Lake Trail (Mason County), develop 3-1/2 miles of trail	35,500
(r) Yahoo Lake development (NE of Queets)	48,000
(s) Mission Creek Trailhead acquisition (Mason County)	5,000
(t) Mima Trailhead Camp acquisition (Capitol Forest)	13,000
(u) Bald Point Trailhead acquisition (Mason County)	5,000
(v) Shelter Rock stage 2 development (Skamania County)	50,000
(w) Gibson Trail (Capitol Forest), to develop 13 miles of trail	143,000
(x) South Fork Hoh River acquisition	12,000
(y) Dragoon Creek Expansion	69,000
(z) Siouxon Trail (Clark/Skamania Counties), to develop 12 miles of trail	84,000
(aa) Lizzard Lake—Skagit County development	22,000
(bb) Upper Humptulips—Grays Harbor acquisition	20,000
(cc) Boulder Creek—Ferry County acquisition	5,000
(dd) Cypress Island acquisition	209,793
(ee) Mima Mounds stage III acquisition	180,000
(ff) Mima Mounds development	29,985

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,506,000	3,960,000	8,276,278	6/30/83

(17) Humptulips, garage and storage, replace unsafe wood structure for winter protection of fire vehicles.

	REAPPROPRIATION		APPROPRIATION
General Fund—State	Estimated	Estimated	Estimated
		0	16,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	0	16,000	6/31/78

(18) To construct cold storage facilities at Clearwater Honor Camp and at Enumclaw.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	47,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	47,000	6/30/79

(19) To construct additional shop and storage space at the southwest area headquarters.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	80,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	80,000	6/30/79

(20) To construct storage facility for centralized storage of fertilizer, seed, and hydro-mulch.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		105,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	105,000	6/30/79

(21) To construct gunnite or concrete lined water holes on ridgetops for use by helicopter for dipping water during fire operations.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		8,500	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000	10,000	20,500	6/30/79

(22) To construct wells and distribution system for the seed orchard to provide irrigation and fire protection.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		73,000	0
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
12,000	0	85,000	6/30/79

(23) To construct facility at Bellingham head greenhouse to provide for mechanical handling of containerized plants.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		15,000	5,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000	6/30/79

(24) To construct hose drying facilities.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		17,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,000	0	20,000	6/30/79

(25) Bellingham packing shed, convert bulb house to a packing shed and cold storage area.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		10,000	10,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	20,000	6/30/79

(26) To construct 3,000 square feet of office and laboratory space for forest land management center.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		105,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	105,000	6/30/79

(27) Webster nursery—Land reclamation

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	50,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	50,000	6/30/79

(28) Paving of driveways and parking areas at south Puget Sound, southwest and northeast area headquarters.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	23,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	23,000	6/30/79

(29) To construct 15,000 square feet of lath house at the Bellingham nursery to provide holding area for seedlings.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		7,500	60,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	67,500	6/30/79

(30) Forest land management center, enlarge shop to accommodate large equipment.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	20,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	20,000	6/30/79

(31) To construct additional storage space for fire fighting equipment at the central area headquarters.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	25,500
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	25,500	6/30/79

(32) To construct remote gas station at Larch Mountain Honor Camp.

		REAPPROPRIATION	APPROPRIATION
CEP & RI Acct		0	10,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	10,000	6/30/79

(33) To construct underground vaults to house remote weather sensing instruments.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		0	10,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	10,000	6/30/79

(34) Forest Land Management Center—Paving of parking area, access road, and drive circle to reduce dust problems.

		REAPPROPRIATION	APPROPRIATION
GF, Res Mgmt Cost Acct		0	14,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	14,000	6/30/79

**NEW SECTION. Sec. 19. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

Estimated Total Cost of Projects \$5,916,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
General Fund—Outdoor Recreation			
Account Appropriation: Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)	1,916,000	4,000,000	5,916,000
Total Funds	1,916,000	4,000,000	5,916,000

		REAPPROPRIATION	APPROPRIATION
General Fund—Outdoor Recreation Account Appropriation: Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. (Referendum 28)		1,916,000	4,000,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	5,916,000	6/30/79

**NEW SECTION. Sec. 20. FOR THE UNIVERSITY OF WASHINGTON**

Estimated Total Cost of Projects \$107,841,000

**Biennial Amounts By Fund Source**

	Carryover	Current	Total
UW Bldg Acct	8,859,000	19,003,000	27,862,000
St Bldg Auth Constr Acct	9,000,000	0	9,000,000
Total Funds	17,859,000	19,003,000	36,862,000

No further real property which will affect a net addition to its real property holdings may be purchased or leased by the University of Washington in its northeast Seattle campus area. The University of Washington shall submit by January 1, 1978, to the appropriations committee of the house of representatives

and the ways and means committee of the senate, its plan for the use of real property in its present ownership which is not now being used for teaching and/or research purposes.

(1) To construct, renovate, and equip teaching facilities in university hospital. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
St Bldg Auth Constr Acct		9,000,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
2,576,000	7,300,000	19,776,000	9,900,000

(2) To construct and equip renovations to building mechanical and electrical systems in Johnson Hall. Estimated project completion date 10/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		892,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
273,000	0	1,165,000	892,000

(3) To construct and equip Phase II and Phase III renovations in Bagley Hall. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		1,550,000	3,900,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
2,212,000	0	7,662,000	5,450,000

(4) To complete basement renovation in Kane Hall for audio-visual and closed circuit TV. Estimated project completion date 7/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		950,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
50,000	0	1,000,000	950,000

(5) To renovate building mechanical, electrical, and ventilation systems in Smith Hall. Estimated project completion date 9/77.

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		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		200,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,563,000	0	1,763,000	200,000

(6) To renovate and equip offices and upgrade building structural, mechanical, and electrical systems in Health Sciences facilities. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		800,000	2,500,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
2,250,000	5,000,000	10,550,000	3,300,000

(7) To purchase and install color television equipment for KCTS-Channel 9. Estimated project completion date 12/77.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		725,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
775,000	0	1,500,000	725,000

(8) To construct and equip addition to Edmundson Pavilion. Estimated project completion date 8/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		40,000	1,976,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
63,000	0	2,079,000	2,016,000

(9) To design and construct new office, classroom, and library building for School of Social Work and Speech and Hearing Sciences. Estimated project completion date 8/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		333,000	6,144,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through



			6/30/79
23,000	0	6,500,000	6,477,000

(10) To provide design funds for a new undergraduate and graduate biology teaching building. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		229,000	248,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
89,000	9,528,000	10,094,000	477,000

(11) To provide planning funds for a consolidated facility for Marine Sciences and College of Fisheries. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		300,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
100,000	3,200,000	3,600,000	300,000

(12) To construct and equip major utility and building renovations for operating efficiencies, safety improvements, and preservation of existing facilities. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		2,800,000	4,235,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
8,367,000	26,333,000	41,000,000	6,300,000

(13) To construct and equip renovations to Gowan Hall. Estimated project completion date 3/78.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		20,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
432,000	0	452,000	20,000

(14) To construct and equip renovations to More Hall. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
UW Bldg Acct		20,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs Through 6/30/79
680,000	0	700,000	20,000

NEW SECTION. Sec. 21. FOR WASHINGTON STATE UNIVERSITY

Estimated Total Cost of Projects \$79,995,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
WSU Bldg Acct	2,592,000	6,976,000	9,568,000
WSU Constr Acct	0	4,340,000	4,340,000 St H
Ed Constr Acct	4,730,000	7,286,000	12,016,000
Off/Lab Constr Acct	949,000	0	949,000
Total Funds	8,271,000	18,602,000	26,873,000

(1) To construct and equip teaching, research and office space for biosciences, Phase II. Estimated project completion date 7/77.

	REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct	870,000	0

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs Through 6/30/79
8,915,000	0	9,785,000	870,000

(2) To construct and equip library addition. Estimated project completion date 2/77.

	REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct	103,000	0

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs Through 6/30/79
6,027,000	0	6,130,000	103,000

(3) To construct and equip office and laboratory space for United States Department of Agriculture and National Weather Service. Estimated project completion date 11/77.

	REAPPROPRIATION	APPROPRIATION
Off/Lab Constr Acct	949,000	0

  

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs Through 6/30/79
951,000	0	1,900,000	949,000

(4) To construct and equip classroom, laboratory, and office building for veterinary sciences. Estimated project completion date 8/78.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		3,860,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
7,890,000	0	14,029,000	6,139,000

(5) To construct warehousing structure for storage of hazardous chemicals. Estimated project completion date 7/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		79,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
240,000	0	319,000	79,000

(6) To construct and equip experimental animal laboratory. Estimated project completion date 8/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		411,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,224,000	0	1,635,000	411,000

(7) To construct swine center facilities at Hasting's Farm. Estimated project completion date 11/77.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		966,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
737,000	0	1,703,000	966,000

(8) To provide minor building alterations or renovations for safety, increased efficiency, and extension of building life. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		683,000	1,983,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through

			6/30/79
1,472,000	5,570,000	11,929,000	4,062,000

(9) To construct and equip modifications to existing utility production and distribution systems. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		345,000	4,605,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,806,000	7,036,000	9,187,000	345,000

(10) To construct and equip Computer Sciences and Mathematics Building, Phase I. Estimated project completion date 12/79.

		REAPPROPRIATION	APPROPRIATION
WSU Constr Acct		0	4,340,000
St H Ed Constr Acct		0	5,060,000
Total Appropriations		0	9,400,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
272,000	0	9,986,000	9,714,000

(11) To construct and equip new receiving and delivery facility. Estimated project completion date 9/78.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		5,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
14,000	465,000	484,000	5,000

(12) to construct and equip Intercollegiate Center for Nursing Education: PROVIDED, That funds for construction purposes shall not be expended until not less than \$3,270,000 in federal funding is provided or secured. Estimated project completion date 4/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		0	2,226,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
183,000	0	5,679,000	5,496,000

(13) To provide design funds for renovation and addition to Wegner Hall: PROVIDED, That funds shall not be expended until federal construction funds for Wegner Hall are secured. Local plant funds may be expended for design purposes prior to the commitment of federal funds. If federal funds are secured the appropriation can be used to offset design costs funded with local plant funds. Estimated project completion date 12/89.

		REAPPROPRIATION	APPROPRIATION
WSU Bldg Acct		0	388,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		through
			6/30/79
0	6,841,000	7,229,000	388,000

NEW SECTION. Sec. 22. FOR EASTERN WASHINGTON STATE COLLEGE

Estimated Total Cost of Projects \$11,171,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
EWSC Cap Proj Acct	827,000	2,299,000	3,126,000
St H Ed Constr Acct	1,207,000	0	1,207,000
Total Funds	2,034,000	2,299,000	4,333,000

(1) To perform minor capital improvements to comply with current fire and safety codes, and provide for handicap access. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		0	456,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
0	635,000	1,091,000	456,000

(2) To perform minor capital improvements to correct facility deficiencies and improve utilization. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		125,000	678,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
135,000	678,000	938,000	125,000

(3) To construct and equip utility loop system and implement energy conservation improvements. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		700,000	165,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs

Through 6/30/77	7/1/79 and Thereafter	Costs	7/1/77 Through 6/30/79
158,000	865,000	1,023,000	865,000

(4) To purchase moveable equipment for new Radio-TV Building. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		0	1,000,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	0	1,000,000	1,000,000

(5) To construct and equip new physical education field house. Estimated project completion date 12/78.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		1,207,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
1,250,000	0	2,457,000	1,207,000

(6) To complete design on Maintenance/Warehouse Building. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
EWSC Cap Proj Acct		2,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
43,000	3,380,000	3,425,000	2,000

NEW SECTION, Sec. 23. FOR CENTRAL WASHINGTON STATE COLLEGE

Estimated Total Cost of Projects \$9,056,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
CWSC Cap Proj Acct	913,000	665,000	1,578,000
St H Ed Constr Acct	282,000	2,000,000	2,282,000
Total Funds	1,195,000	2,665,000	3,860,000

(1) To complete schematics on Barge Hall. Estimated project completion date 12/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		25,000	0
Project Costs	Estimated Costs	Estimated Total	Estimated Costs

Through 6/30/77	7/1/79 and Thereafter	Costs	7/1/77 Through 6/30/79
25,000	0	50,000	25,000

(2) Renovation and alterations to facilities. Estimated project completion date 5/78.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		293,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
167,000	0	460,000	293,000

(3) Utilities extensions, alterations, and repairs. Estimated project completion date 4/78.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		485,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
247,000	0	732,000	485,000

(4) To provide chilled water to Dean Hall. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		100,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
6,000	0	106,000	100,000

(5) To correct safety deficiencies in Art Building. Estimated project completion date 7/78.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	84,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	0	84,000	84,000

(6) To correct safety deficiencies on campus as defined by Washington Industrial Safety and Health Act. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	119,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	141,000	260,000	119,000

(7) To construct a botany instruction greenhouse. Estimated project completion date 8/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		4,000	200,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
16,000	0	220,000	204,000

(8) To provide building modifications for improved handicapped access. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	162,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	0	162,000	162,000

(9) To perform minor renovations, additions and remodeling for safety, increased utilization, and preservation of facilities.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		0	100,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	1,400,000	1,500,000	6/83

(10) To renovate and remodel Bouillon Hall for utilization as an instruction and faculty office building. Estimated project completion date 7/77.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		115,000	2,000,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
109,000	0	2,224,000	2,115,000



(11) To purchase and install boilers in new boiler plant and install chiller loop. Estimated project completion date 11/77.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		7,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
769,000	0	776,000	7,000

(12) To complete grounds improvements to library area complex. Estimated project completion date 7/77.

		REAPPROPRIATION	APPROPRIATION
CWSC Cap Proj Acct		6,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
58,000	0	64,000	6,000

(13) To renovate McConnell Hall, construct an addition for drama program, and move computer center to Wildcat Shop. Estimated project completion date 10/77.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		160,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
141,000	3,626,000	3,927,000	160,000

NEW SECTION. Sec. 24. FOR THE EVERGREEN STATE COLLEGE

Estimated Total Cost of Projects \$15,033,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
St H Ed Constr Acct	1,852,000	165,000	2,017,000
TESC Cap Proj Acct	250,000	0	250,000
Total Funds	2,102,000	165,000	2,267,000

(1) To construct and equip Communications Laboratory. Estimated project completion date 1/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		1,500,000	0
TESC Cap Proj Acct		250,000	0
Total Funds		1,750,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through

6/30/79

6,705,000                      0                      8,455,000                      1,750,000

(2) To construct and equip Laboratory and Office Building. Estimated project completion date 7/78.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		337,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
5,951,000	0	6,288,000	337,000

(3) To improve lighting, recreational fields, and utilities. Estimated project completion date 1/78.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		15,000	165,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
110,000	0	290,000	180,000

NEW SECTION. Sec. 25. FOR WESTERN WASHINGTON STATE COLLEGE

Estimated Total Cost of Projects                      \$21,276,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
St Bldg Auth Constr Acct	46,000	0	46,000
St H Ed Constr Acct	5,124,000	0	5,124,000
WWSC Cap Proj Acct	1,949,000	1,496,000	3,445,000
Total Funds	7,119,000	1,496,000	8,615,000

(1) To construct and equip Auditorium/Music Building addition. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		1,837,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
574,000	0	2,459,000	1,885,000

(2) To construct and equip Environmental Studies Center. Estimated project completion date 12/78.

		REAPPROPRIATION	APPROPRIATION
St Bldg Auth Constr Acct		46,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through

			6/30/79
72,000	0	118,000	46,000

(3) To construct, equip, and remodel space for applied arts/science programs. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		177,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
1,310,000	0	1,487,000	177,000

(4) To construct, equip, and renovate Old Main, Phase II. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		3,072,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
604,000	0	3,676,000	3,072,000

(5) To construct and equip capital improvements to south campus fields and grounds. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
St H Ed Constr Acct		38,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
69,000	3,648,000	3,755,000	38,000

(6) To perform minor capital improvements to facilities on campus. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		354,000	200,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/79 and	Costs	7/1/77
6/30/77	Thereafter		Through
			6/30/79
435,000	802,000	1,617,000	380,000

(7) To provide safety and handicapped access improvements. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		0	331,000

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
0	150,000	481,000	331,000

(8) To design consolidated receiving, shops, and warehouse. Estimated project completion date 6/81.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		41,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
81,000	3,043,000	3,165,000	41,000

(9) To design and install utility and energy conservation improvements to include joint feasibility study with City of Bellingham for common heat producing facility: PROVIDED, That the funds expended for a joint feasibility study shall not exceed \$30,000 or an amount in proportion with the projected utilization of the completed facility by the college, whichever is less. Estimated project completion date 6/83.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		1,554,000	150,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 Through 6/30/79
405,000	1,343,000	3,703,000	1,955,000

(10) To provide deferred movable equipment for Old Main, Phase II, and Auditorium/Music Building addition. Estimated project completion date 6/79.

		REAPPROPRIATION	APPROPRIATION
WWSC Cap Proj Acct		0	815,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Costs 7/1/77 through 6/30/79
0	0	815,000	815,000

NEW SECTION. Sec. 26. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

Estimated Total Cost of Projects \$96,884,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
General Fund—State	444,000	0	444,000
Com Col Cap Impvmt Acct	3,390,000	0	3,390,000
Com Col Cap Proj Acct	1,063,000	0	1,063,000
Com Col Cap Constr Acct	18,965,000	6,947,000	25,912,000
Total Funds	23,862,000	6,947,000	30,809,000

(1) To provide for future parking facility, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
General Fund—State		444,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	444,000	6/79

(2) To provide for a new library and remodeling, Spokane Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		161,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,462,000	0	1,623,000	12/77

(3) To provide for a Learning Resource Center and remodeling, Lower Columbia Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		1,153,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,500,000	0	2,653,000	4/78

(4) To provide for a Learning Resource Center, Science and Health facility, Everett Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		393,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,800,000	0	2,193,000	12/77

(5) To provide for vocational facilities, Peninsula Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		92,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
600,000	0	692,000	12/77

(6) To provide for a Learning Resource Center, Spokane Falls Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		306,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
3,350,000*	0	3,656,000	12/77

(7) To provide for vocational facilities, South Seattle Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		73,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
600,000	0	673,000	12/77

(8) To provide for a student center addition and remodeling, Yakima Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		179,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
400,000	0	579,000	12/77

(9) To provide for remodeling an Art and Music Building, Olympic Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		334,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
1,155,000	0	1,489,000	3/78

(10) To provide for a Student Activity Building, Walla Walla Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		80,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
448,000	0	528,000	3/78

(11) To provide for land acquisition, remodels and alterations at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Impvmt Acct		308,000	0
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
11,100,000	0	11,408,000	12/77

(12) To provide for the remodeling of Edison School, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		304,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,723,000	0	6,027,000	12/77

(13) To provide for construction, equipping, renovating, and alterations related to hazardous conditions at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		477,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
400,000	0	877,000	3/78

(14) To provide for alterations to alleviate deficient conditions.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		46,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
650,000	0	696,000	12/77

(15) To provide for a Trade and Industrial Building and remodeling, Spokane Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		1,266,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000,000	0	10,266,000	3/78

(16) To provide for a Science, Dining and Physical Education Facility, Edmonds Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		125,000	0
Com Col Cap Impvmt Acct		245,000	0
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
2,435,000	0	2,805,000	12/77

(17) To provide for a welding shop, Everett Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		292,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
150,000	0	442,000	6/78

(18) To provide for a Human Resources, Art and Vocational Facility, Edmonds Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		1,624,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000,000	0	2,624,000	6/78

(19) To provide for physical education locker space, Ft. Steilacoom Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		30,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
200,000	0	230,000	12/77

(20) To provide for a Learning Resource Center, Highline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		5,836,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,000,000	0	6,836,000	6/78

(21) To provide for a Music Building, Shoreline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		423,000	0
Com Col Cap Impvmt Acct		66,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,240,000	0	2,729,000	12/77



(22) To provide for a Learning Resource Center, South Seattle Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		4,024,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,000,000	0	6,024,000	6/78

(23) To provide for a Fine Arts Building, Ft. Steilacoom Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		211,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
800,000	0	1,011,000	3/78

(24) To provide for a geology laboratory remodeling, Highline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		6,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	6,000	6/78

(25) To provide for a Learning Resource Center addition, Clark Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		179,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
600,000	0	779,000	3/78

(26) To provide for construction and equipment related to utility and lines, Highline Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		321,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
900,000	0	1,221,000	3/78

(27) To provide for a Fine Arts Auditorium—Phase I, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		1,851,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
500,000	0	2,351,000	6/78

(28) To provide for remodeling Ehret Hall, Centralia Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		22,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
370,000	0	392,000	12/77

(29) To provide for a shop facility, Green River Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		130,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
300,000	0	430,000	3/78

(30) To provide for a greenhouse, Everett Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		81,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
0	0	81,000	6/78

(31) To provide for a vocational facility, Clark Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		706,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
200,000	0	906,000	6/78

(32) To provide for the purchase and remodel of a dormitory for office use, Olympic Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		90,000	0

Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
800,000	0	890,000	3/78

(33) To provide for code compliance through remodeling or construction at various campuses: PROVIDED, That the appropriation contained in this subsection is sufficient to complete the necessary work in all nine projects for the first year of the biennium only.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	1,585,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	1,668,000	3,253,000	6/79

(34) To provide improved handicapped access at various campuses.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	864,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	864,000	6/79

(35) To repair roofs at Bellevue Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	268,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	268,000	10/77

(36) To construct minor capital projects at various campuses for improved efficiency and utilization of existing facilities.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	876,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	876,000	6/79

(37) To provide for unforeseen emergency capital repairs, to be administered by the state board.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		746,000	500,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
600,000	0	1,846,000	6/79

(38) Purchase, construct, equip and administer a pool of relocatables administered by the state board.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		75,000	325,000
Com Col Cap Proj Acct		338,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
10,624,000	0	11,362,000	6/79

(39) To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board. The appropriation contained in this subsection is contingent upon the enactment of chapter ... (SSB 2435), Laws of 1977 1st ex. sess.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Constr Acct		0	1,867,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,867,000	0

(40) To construct and equip the third floor auditorium for drama, Seattle Central Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Proj Acct		625,000	0
Com Col Cap Constr Acct		0	489,000
Total Appropriations		625,000	489,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	1,114,000	6/79

(41) To complete the construction and equipping of the physical education facility, Walla Walla Community College.

		REAPPROPRIATION	APPROPRIATION
Com Col Cap Proj Acct		100,000	0
Com Col Cap Constr Acct		100,000	173,000
Total Appropriations		200,000	173,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,500,000	0	1,873,000	12/77

**NEW SECTION. Sec. 27. FOR THE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION**

Estimated Total Cost of Projects \$467,108,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
Com Sch Constr Fund	91,467,000	149,049,000	240,516,000
Total Funds	91,467,000	149,049,000	240,516,000

To provide for public school building planning, construction, remodeling and demolition.

		REAPPROPRIATION	APPROPRIATION
Com Sch Constr Fund		91,467,000	149,049,000
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
76,592,000	150,000,000	467,108,000	N/A

**NEW SECTION. Sec. 28. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

Estimated Total Cost of Projects \$5,305,400

Biennial Amounts By Fund Source

	Carryover	Current	Total
GF, Fire Trng Constr Acct	0	194,400	194,400
Total Funds	0	194,400	194,400

(1) Fire Service Training Center.

		REAPPROPRIATION	APPROPRIATION
GF, Fire Trng Constr Acct		0	194,400
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
0	5,111,000	5,305,400	6/30/83

**NEW SECTION. Sec. 29. FOR THE STATE PATROL**

Estimated Total Cost of Projects \$998,000

Biennial Amounts By Fund Source

	Carryover	Current	Total
MV Fund—State	178,000	1,273,000	1,451,000
Total Funds	178,000	1,273,000	1,451,000

(1) Construct and equip District V Headquarters at Vancouver.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	807,000
Project Costs	Estimated Costs	Estimated Total Costs	Estimated Completion Date
Through 6/30/77	7/1/79 and Thereafter		
0	0	807,000	6/1/79

(2) Weigh station relocation at North Bend.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	40,000	6/30/79

(3) Weigh station relocation at Port Angeles west.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
5,000	0	40,000	6/30/79

(4) To construct dual-scale weigh station at Plymouth Port of Entry.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	83,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	83,000	6/30/79

(5) Repair existing facilities.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	120,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	120,000	6/30/79

(6) To construct dual-scale weigh station at Vancouver Port of Entry.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	58,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	58,000	6/30/79

(7) To construct and equip mobile radio relay station in Grays Harbor area.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	66,000
Project	Estimated	Estimated	Estimated

Costs Through 6/30/77	Costs 7/1/79 and Thereafter	Total Costs	Completion Date
0	0	66,000	6/30/79

(8) To construct inspection building at South King County detachment office.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	76,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	76,000	6/30/79

(9) To construct gasoline storage and dispensing facilities in the Bellingham, Okanogan, Sunnyside, and Walla Walla areas.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		0	63,000
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
0	0	63,000	6/30/79

(10) To construct radio relay station in the Gold Mountain area.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		8,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
9,000	0	17,000	6/30/79

(11) To construct East King County District II headquarters.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		35,000	0
Project Costs Through 6/30/77	Estimated Costs 7/1/79 and Thereafter	Estimated Total Costs	Estimated Completion Date
290,000	0	325,000	6/30/79

(12) Land acquisition and construction for radio relay stations on the Columbia River.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		40,000	0
Project Costs Through	Estimated Costs 7/1/79 and	Estimated Total Costs	Estimated Completion Date

6/30/77	Thereafter		
10,000	0	50,000	6/30/79

(13) Land acquisition and construction for radio relay station in the Pomeroy area.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		10,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
30,000	0	40,000	6/30/79

(14) Land acquisitions for radio relay stations in the Colville and Clarkston areas.

		REAPPROPRIATION	APPROPRIATION
MV Fund—State		15,000	0
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/79 and	Costs	Date
6/30/77	Thereafter		
5,000	0	20,000	12/31/77

**NEW SECTION.** Sec. 30. FOR THE STATE TREASURER—TRANSFERS

Capitol Building Construction Account Appropriation: For transfer to the State Building Construction Account to be used for capital projects on the capitol grounds . . . . . \$ 1,500,000

**NEW SECTION.** Sec. 31. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 32. Reappropriations shall be limited to the unexpended balances remaining June 30, 1977, in the current appropriation for each project.

**NEW SECTION.** Sec. 33. The governor, through the director of the office of program planning and fiscal management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of program planning and fiscal management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 34. The depreciation schedule developed by the department of personnel used in rent assessments of state employees living in state owned housing shall be based on the actual housing cost to the state including any maintenance and interest costs depreciated over 30 years. Utility charges shall be at cost.

**NEW SECTION.** Sec. 35. 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. 36. 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 July 1, 1977.\*

Signed by Senators Mardesich, Walgren, Scott; Representatives Polk, Warnke, McKibbin.



## MOTION

On motion of Mr. McKibbin, the House adopted the report of the Free Conference Committee.

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 Substitute Senate Bill No. 3110 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3110 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 65; nays, 8; not voting, 25.

Voting yea: Representatives Bauer, Becker, Bender, Berentson, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Ehlers, Erak, Erickson, Fortson, Fuller, Gallagher, Greengo, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley G. S., Hurley M., Keller, Kilbury, King, Knedlik, Knowles, Kreidler, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson D., O'Brien, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinoda, Shinpoch, Smith, Sommers, Struthers, Taller, Thompson, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Craswell, Eng, Fischer, Leckenby, Valle, Winsley.

Not voting: Representatives Adams, Amen, Blair, Bond, Chandler, Deccio, Douthwaite, Dunlap, Enbody, Fancher, Flanagan, Gaines, Gilleland, Haley, Lux, Nelson G. A., Newhouse, North, Oliver, Pardini, Paris, Sanders, Schmitt, Tilly, Zimmerman.

Engrossed Substitute Senate Bill No. 3110 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.

## STATEMENT FOR THE JOURNAL

I wish the record to show that I wished to vote "No" on Engrossed Substitute Senate Bill No. 3110 as amended by the Free Conference Committee.

DICK BOND, 6th District.

## MOTIONS

On motion of Mr. Warnke, Engrossed Substitute Senate Bill No. 3110 as amended by the Free Conference Committee was ordered transmitted immediately to the Senate.

On motion of Mr. King, the House reverted to the fourth order of business.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 35, by Representatives King and Berentson:

Returning all bills to their house of origin upon adjournment sine die.

## MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 35 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 35 was placed on final passage.

House Concurrent Resolution No. 35 was adopted.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 604.

## MESSAGES FROM THE SENATE

June 21, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 3,  
SUBSTITUTE HOUSE BILL NO. 255,  
HOUSE BILL NO. 727,

SUBSTITUTE HOUSE BILL NO. 1009,  
 SUBSTITUTE SENATE BILL NO. 2235,  
 SENATE BILL NO. 2242,  
 SENATE BILL NO. 2272,  
 SUBSTITUTE SENATE BILL NO. 2274,  
 SENATE BILL NO. 2277,  
 SENATE BILL NO. 2839,

SENATE CONCURRENT RESOLUTION NO. 123,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 2235,  
 SENATE BILL NO. 2242,  
 SENATE BILL NO. 2272,  
 SUBSTITUTE SENATE BILL NO. 2274,  
 SENATE BILL NO. 2277,  
 SENATE BILL NO. 2839,  
 SENATE CONCURRENT RESOLUTION NO. 123.

MESSAGES FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3110, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3110,  
 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 604,  
 and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 21, 1977

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 124,  
 and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 124, by Senators Sandison, Clarke, Goltz and Wilson:

Establishing the joint legislative committee on Washington/British Columbia cooperation.

MOTIONS

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 124 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 124 was placed on final passage.

Senate Concurrent Resolution No. 124 was adopted.

## MOTION

On motion of Mr. King, House Resolutions No. 77-53, 77-59, 77-60 and 77-62 were referred to Committee on Rules.

## MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 124,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3110,  
SENATE CONCURRENT RESOLUTION NO. 124.

## MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE CONCURRENT RESOLUTION NO. 32, and has adopted the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE CONCURRENT RESOLUTION NO. 32, adopting joint rules for the Forty-fifth Legislature, have had the same under consideration, and we recommend that the bill be amended as follows:

That the following Senate amendments be adopted:

On page 8, line 17 strike "HOW MADE UP" and insert "CONFERENCE COMMITTEE APPOINTEES"

On page 8, beginning on line 18 strike Rule 8 and insert:

"RULE 8. The presiding officer of each house shall appoint on ((such)) each conference committee three members, selecting them so as to represent, in each case, ((the attitude of)) the majority and minority positions as relates to the subject matter and to the extent possible the majority and minority political parties, upon the differences between the houses."

On page 8, amend Rule 9 as follows:

On line 33 after "resolution" and before the period insert "and such report must have the signatures of five of the six members of the committee"

On page 9, strike Rule ((9)) 10 and insert:

"FREE CONFERENCE COMMITTEE

RULE ((9)) 10. ((In case of failure of the conferees to agree on matters directly at issue between the two houses, a report of the items of such disagreement including new proposed items within the scope and object of the title of the bill in conference shall be made and)) Upon request for free conference the power of free conference may be granted ((to)) by the two houses ((either)) to the same committee, ((or the committee may be discharged and a new committee appointed with the power of free conference,)) to whom only ((items of disagreement or new items approved by one house in the disputed bill or resolution)) the proposed free conference report may be committed, or the committee may be discharged and a new committee appointed with the power of conference, as defined in Joint Rule 7 ((and)). The report of the committee of free conference ((may report by new bill or resolution, or otherwise, and bills or resolutions so reported)) shall be acted upon in the same manner as provided for reports of conference committee ((-PROVIDED; That the house and senate shall have thirty-six hours from the time of receipt in the house originating the conference request to consider reports from a free conference committee and shall not vote thereon until the thirty-six hour period shall have elapsed except that with respect to budget and appropriations and revenue and tax measures, the required interval shall be twenty-four hours: PROVIDED FURTHER, That irrespective of any rule herein or any rule of either the senate or the house of representatives, the foregoing provisions relating to thirty-six and twenty-four hour intervals will not be suspended unless the legislature shall otherwise direct by a two-thirds vote of all of the members elected to each house. Simultaneously with receipt of the report a copy of said report shall be placed upon the desk of each member of the legislature)). The report of a free conference committee must have the signatures of five of the six members of the committee."

On page 10, line 12 after "~~deletions~~")" strike ";" and insert "((;)) , and"

And that the remaining Senate amendments not be adopted, and that there also be added the following amendments:

On page 8, line 16 Rule 7, after "report))" and before the period insert ": PROVIDED, HOWEVER, That in the event five members of the conference committee cannot agree on a request for a free conference report a majority of the conference committee members of each house may report that the committee cannot agree and request the appointment of another committee"

On page 11, Rule 12, line 4 after "report" insert ": PROVIDED, That the senate and house, within their own bodies, can suspend the reading of a report in full."

On page 17, line 18, strike all the material down through line 22 and insert:

"With reference to the studies and investigations to be undertaken, each ((special legislative interim)) standing committee may only study subjects, areas and problems assigned to such ((legislative interim study and fact finding committees)) committee by the respective house or by the rules committees of the respective house."

On page 19, beginning on line 10 strike "to be ratified only while the legislature is convened in session" and insert "((to be ratified only while the legislature is convened in session))"

Signed by Senators Walgren, Clarke, Marsh; Representatives King, Berentson.

#### MOTION

On motion of Mr. King, the House adopted the report of the Free Conference Committee on House Concurrent Resolution No. 32.

#### FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of House Concurrent Resolution No. 32 as amended by the Free Conference Committee.

House Concurrent Resolution No. 32 as amended by the Free Conference Committee was adopted.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 623.

#### SECOND READING

#### SECOND SUBSTITUTE SENATE BILL NO. 3097:

The House resumed consideration of the bill on second reading.

On motion of Ms. Becker the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 3097 was placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3097, and the bill passed the House by the following vote: Yeas, 64; nays, 5; not voting, 29.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Burns, Charette, Charnley, Clayton, Clemente, Conner, Craswell, Ehlers, Enbody, Eng, Erak, Erickson, Fischer, Fortson, Gaines, Gallagher, Grier, Grimm, Gruger, Hanna, Hansen, Hawkins, Heck, Hughes, Hurley M., Keller, Kilbury, King, Knedlik, Kreidler, Lysen, Martinis, Maxie, May, McKibbin, Moreau, Nelson D., North, O'Brien, Owen, Patterson, Pearsall, Polk, Pruitt, Salatino, Sherman, Shinpoch, Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Fuller, Greengo, Struthers.

Not voting: Representatives Adams, Amen, Chandler, Deccio, Douthwaite, Dunlap, Fancher, Flanagan, Gilleland, Haley, Hurley G. S., Knowles, Leckenby, Lee, Lux, McCormick, Nelson G. A., Newhouse, Oliver, Pardini, Paris, Sanders, Schmitt, Shinoda, Smith, Taller, Tilly, Whiteside, Zimmerman.

Second Substitute Senate Bill No. 3097, 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

June 21, 1977

Mr. Speaker:

The Senate has failed to pass:

## HOUSE BILL NO. 777,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The Senate has adopted:

## HOUSE CONCURRENT RESOLUTION NO. 35,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 623,  
SECOND SUBSTITUTE SENATE BILL NO. 2232,  
SECOND SUBSTITUTE SENATE BILL NO. 3097.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 2232,  
SECOND SUBSTITUTE SENATE BILL NO. 3097.

## MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 33 with the following amendment:

On page 2, line 11 after "committee" insert "with the approval of the senate facilities and operations committee and the house executive rules committee"  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. King, the House concurred in the Senate amendment to House Concurrent Resolution No. 33.

House Concurrent Resolution No. 33 as amended by the Senate was adopted.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 36, by Representatives King and Berentson:

Appointing a committee to notify the Governor that the legislature is ready to adjourn sine die.

## MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 36 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 36 was placed on final passage.

House Concurrent Resolution No. 36 was adopted.

## SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

## HOUSE CONCURRENT RESOLUTION NO. 35.

## POINT OF PERSONAL PRIVILEGE

Mr. Zimmerman: "I just wanted to say a word about the beginning and the ending. I think that should be kind of a worthy subject. A hundred years ago John Galsworthy said some things about beginnings and endings and we're close to the ending now and it would seem you wouldn't mind if I quoted him.

"The beginning and ending of all human undertakings are untidy—the building of a house, the writing of a novel, the demolition of a bridge, and imminently the finish of a voyage. Of course, we've been on a 163-day voyage and certainly at this particular time of the day it's such that we need to see the perspective because I think it's been a long time in which there have been some troubles, some problems, and at the same time, I think altogether we've felt a recognition that despite the fact that this has been a record long, very difficult, very frustrating last few days, nevertheless there have been some rather unusual accomplishments. I think each of us in their own way has seen the completion of a rather unusual time together and I would hope that despite the length of it that we can all recognize the sharing together of some of the mutual accomplishments as we wind it up and go home."

#### RESOLUTION

HOUSE RESOLUTION NO. 77-64, by Representatives King and Berentson:

BE IT RESOLVED, By the House of Representatives, That a committee of three be appointed to notify the Senate that the House is about to adjourn sine die.

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

#### APPOINTMENT OF COMMITTEE

In accordance with the provisions of House Resolution No. 77-64, the Speaker appointed Representatives North, Bauer and Polk to notify the Senate that the House was ready to adjourn sine die.

#### REPORT OF SPECIAL COMMITTEE

A committee from the Senate appeared before the bar of the House and notified the House that the Senate was about to adjourn sine die.

The message was received, and the committee retired.

#### APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 36, the Speaker appointed Representatives King, Gallagher and Berentson to notify the Governor, with a committee from the Senate, that the Legislature was ready to adjourn sine die.

#### MESSAGE FROM THE SENATE

June 21, 1977

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 36,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 32,

HOUSE CONCURRENT RESOLUTION NO. 36.

#### MESSAGES FROM THE SENATE

June 21, 1977

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 32,

HOUSE CONCURRENT RESOLUTION NO. 33,

HOUSE CONCURRENT RESOLUTION NO. 35,

HOUSE CONCURRENT RESOLUTION NO. 36,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 21, 1977

Mr. Speaker:

In accordance with House Concurrent Resolution No. 35, the following bills are transmitted to the House:

ENGROSSED HOUSE BILL NO. 10,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 13,  
     HOUSE BILL NO. 18,  
     HOUSE BILL NO. 21,  
     HOUSE BILL NO. 32,  
     ENGROSSED HOUSE BILL NO. 37,  
     ENGROSSED HOUSE BILL NO. 38,  
     ENGROSSED HOUSE BILL NO. 41,  
     HOUSE BILL NO. 42,  
     SUBSTITUTE HOUSE BILL NO. 43,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 44,  
     ENGROSSED HOUSE BILL NO. 47,  
     SUBSTITUTE HOUSE BILL NO. 51,  
     HOUSE BILL NO. 54,  
     ENGROSSED HOUSE BILL NO. 58,  
     ENGROSSED HOUSE BILL NO. 59,  
     SECOND SUBSTITUTE HOUSE BILL NO. 63,  
     HOUSE BILL NO. 64,  
     SUBSTITUTE HOUSE BILL NO. 67,  
 ENGROSSED SUBSTITUTE HOUSE BILL No. 71,  
     ENGROSSED HOUSE BILL NO. 73,  
     SUBSTITUTE HOUSE BILL NO. 74,  
     SUBSTITUTE HOUSE BILL NO. 76,  
     SUBSTITUTE HOUSE BILL NO. 79,  
     ENGROSSED HOUSE BILL NO. 85,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 100,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 102,  
     HOUSE BILL NO. 109,  
     HOUSE BILL NO. 115,  
     ENGROSSED HOUSE BILL NO. 116,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 123,  
     SUBSTITUTE HOUSE BILL NO. 127,  
     ENGROSSED HOUSE BILL NO. 129,  
     HOUSE BILL NO. 130,  
     HOUSE BILL NO. 143,  
     SUBSTITUTE HOUSE BILL NO. 149,  
     SUBSTITUTE HOUSE BILL NO. 163,  
     HOUSE BILL NO. 186,  
     HOUSE BILL NO. 191,  
     SUBSTITUTE HOUSE BILL NO. 204,  
     ENGROSSED HOUSE BILL NO. 210,  
     HOUSE BILL NO. 213,  
     SUBSTITUTE HOUSE BILL NO. 219,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 227,  
     HOUSE BILL NO. 229,  
     ENGROSSED HOUSE BILL NO. 235,  
     HOUSE BILL NO. 242,  
     SUBSTITUTE HOUSE BILL NO. 249,  
     SECOND SUBSTITUTE HOUSE BILL NO. 252,  
     SUBSTITUTE HOUSE BILL NO. 254,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 257,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 261,  
     ENGROSSED HOUSE BILL NO. 275,  
     HOUSE BILL NO. 279,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 282,  
     SUBSTITUTE HOUSE BILL NO. 288,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 305,  
     HOUSE BILL NO. 306,  
     SECOND SUBSTITUTE HOUSE BILL NO. 307,  
     SUBSTITUTE HOUSE BILL NO. 318,  
     SUBSTITUTE HOUSE BILL NO. 320,  
     SECOND SUBSTITUTE HOUSE BILL NO. 334,  
     ENGROSSED HOUSE BILL NO. 344,  
     HOUSE BILL NO. 347,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 351,  
     ENGROSSED HOUSE BILL NO. 356,  
     ENGROSSED HOUSE BILL NO. 357,  
     ENGROSSED HOUSE BILL NO. 358,  
     ENGROSSED HOUSE BILL NO. 365,

ENGROSSED HOUSE BILL NO. 390,  
 SUBSTITUTE HOUSE BILL NO. 396,  
 HOUSE BILL NO. 397,  
 ENGROSSED HOUSE BILL NO. 400,  
 HOUSE BILL NO. 407,  
 ENGROSSED HOUSE BILL NO. 409,  
 HOUSE BILL NO. 413,  
 ENGROSSED HOUSE BILL NO. 429,  
 SUBSTITUTE HOUSE BILL NO. 451,  
 SUBSTITUTE HOUSE BILL NO. 453,  
 SUBSTITUTE HOUSE BILL NO. 464,  
 HOUSE BILL NO. 477,  
 SUBSTITUTE HOUSE BILL NO. 480,  
 HOUSE BILL NO. 484,  
 HOUSE BILL NO. 500,  
 SUBSTITUTE HOUSE BILL NO. 502,  
 HOUSE BILL NO. 503,  
 HOUSE BILL NO. 515,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 520,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 522,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 534,  
 SUBSTITUTE HOUSE BILL NO. 538,  
 ENGROSSED HOUSE BILL NO. 541,  
 ENGROSSED HOUSE BILL NO. 543,  
 SUBSTITUTE HOUSE BILL NO. 546,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 550,  
 SUBSTITUTE HOUSE BILL NO. 574,  
 ENGROSSED HOUSE BILL NO. 588,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 593,  
 ENGROSSED HOUSE BILL NO. 595,  
 HOUSE BILL NO. 612,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 614,  
 SUBSTITUTE HOUSE BILL NO. 620,  
 SUBSTITUTE HOUSE BILL NO. 622,  
 SUBSTITUTE HOUSE BILL NO. 634,  
 HOUSE BILL NO. 635,  
 HOUSE BILL NO. 646,  
 HOUSE BILL NO. 661,  
 HOUSE BILL NO. 664,  
 HOUSE BILL NO. 670,  
 ENGROSSED HOUSE BILL NO. 671,  
 HOUSE BILL NO. 672,  
 SUBSTITUTE HOUSE BILL NO. 673,  
 SUBSTITUTE HOUSE BILL NO. 681,  
 SUBSTITUTE HOUSE BILL NO. 684,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 685,  
 HOUSE BILL NO. 704,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 707,  
 ENGROSSED HOUSE BILL NO. 708,  
 HOUSE BILL NO. 709,  
 SUBSTITUTE HOUSE BILL NO. 710,  
 ENGROSSED HOUSE BILL NO. 716,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 718,  
 SUBSTITUTE HOUSE BILL NO. 726,  
 SUBSTITUTE HOUSE BILL NO. 728,  
 SUBSTITUTE HOUSE BILL NO. 732,  
 SUBSTITUTE HOUSE BILL NO. 735,  
 ENGROSSED HOUSE BILL NO. 746,  
 HOUSE BILL NO. 758,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 766,  
 SUBSTITUTE HOUSE BILL NO. 773,  
 ENGROSSED HOUSE BILL NO. 787,  
 ENGROSSED HOUSE BILL NO. 793,  
 SUBSTITUTE HOUSE BILL NO. 800,  
 ENGROSSED HOUSE BILL NO. 812,  
 HOUSE BILL NO. 819,  
 SUBSTITUTE HOUSE BILL NO. 820,  
 ENGROSSED HOUSE BILL NO. 838,



ENGROSSED HOUSE BILL NO. 848,  
 SUBSTITUTE HOUSE BILL NO. 854,  
 SUBSTITUTE HOUSE BILL NO. 857,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 861,  
 ENGROSSED HOUSE BILL NO. 877,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 890,  
 SUBSTITUTE HOUSE BILL NO. 908,  
 ENGROSSED HOUSE BILL NO. 917,  
 ENGROSSED HOUSE BILL NO. 922,  
 SUBSTITUTE HOUSE BILL NO. 1021,  
 SUBSTITUTE HOUSE BILL NO. 1033,  
 SUBSTITUTE HOUSE BILL NO. 1131,  
 SUBSTITUTE HOUSE BILL NO. 1145,  
 SUBSTITUTE HOUSE BILL NO. 1146,  
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1147,  
 ENGROSSED HOUSE BILL NO. 1164,  
 ENGROSSED HOUSE BILL NO. 1169,  
 HOUSE BILL NO. 1176,  
 SUBSTITUTE HOUSE BILL NO. 1190,  
 ENGROSSED HOUSE BILL NO. 1191,  
 SUBSTITUTE HOUSE BILL NO. 1194,  
 HOUSE BILL NO. 1210,  
 HOUSE BILL NO. 1221,  
 HOUSE BILL NO. 1227,  
 SUBSTITUTE HOUSE BILL NO. 1234,  
 ENGROSSED HOUSE BILL NO. 1252,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1254,  
 SUBSTITUTE HOUSE BILL NO. 1258,  
 HOUSE BILL NO. 1267,  
 HOUSE BILL NO. 1269,  
 SUBSTITUTE HOUSE BILL NO. 1277,  
 SUBSTITUTE HOUSE BILL NO. 1278,  
 ENGROSSED HOUSE BILL NO. 1291,  
 HOUSE BILL NO. 1293,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1321,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1322,  
 SUBSTITUTE HOUSE BILL NO. 1323,  
 SUBSTITUTE HOUSE BILL NO. 1343,  
 HOUSE JOINT MEMORIAL NO. 12,  
 ENGROSSED HOUSE JOINT MEMORIAL NO. 15,  
 HOUSE CONCURRENT RESOLUTION NO. 30,  
 HOUSE JOINT RESOLUTION NO. 6,  
 HOUSE JOINT RESOLUTION NO. 7,  
 HOUSE JOINT RESOLUTION NO. 21,  
 SECOND SUBSTITUTE HOUSE JOINT RESOLUTION NO. 27,  
 ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 30,  
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 32,  
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 36,  
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 42,  
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 54,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### BILLS REFERRED TO COMMITTEES

**AGRICULTURE COMMITTEE:** House Bill No. 4, House Bill No. 218, Engrossed House Bill No. 390, Engrossed Second Substitute House Bill No. 766, Engrossed Substitute House Bill No. 890, House Bill No. 906, House Bill No. 947, Substitute House Bill No. 1131, House Bill No. 1230, House Joint Memorial No. 9.

**APPROPRIATIONS COMMITTEE:** Engrossed House Bill No. 129, Engrossed House Bill No. 235, Engrossed Second Substitute House Bill No. 602, Substitute House Bill No. 622, Engrossed House Bill No. 716, Substitute House Bill No. 1033, House Bill No. 1210, House Bill No. 1221, House Bill No. 1227, Substitute House Bill No. 1323, House Bill No. 1406.

**COMMERCE COMMITTEE:** House Bill No. 97, House Bill No. 242, House Bill No. 306, Engrossed House Bill No. 344, Engrossed Substitute House Bill No. 351, Engrossed House Bill No. 357, Engrossed House Bill No. 400, House Bill No. 482, House Bill No. 484, Engrossed Substitute House Bill No. 550, House Bill No. 704, Engrossed Substitute House Bill

No. 707, Substitute House Bill No. 711, House Bill No. 780, House Bill No. 824, Engrossed House Bill No. 838, Substitute House Bill No. 908, House Bill No. 1156, Engrossed House Bill No. 1255, House Bill No. 1315.

**CONSTITUTION COMMITTEE:** House Bill No. 1272, House Joint Resolution No. 6, House Joint Resolution No. 7, Engrossed Substitute House Joint Resolution No. 9, House Joint Resolution No. 11.

**ECOLOGY COMMITTEE:** House Bill No. 612, House Bill No. 1123, House Bill No. 1175, Engrossed House Bill No. 1191, House Bill No. 1351 House Joint Memorial No. 2, House Joint Memorial No. 14.

**EDUCATION COMMITTEE:** Engrossed House Bill No. 358, House Bill No. 477, Substitute House Bill No. 480, Substitute House Bill No. 681, Engrossed Second Substitute House Bill No. 1147, Substitute House Bill No. 1277.

**ELECTIONS AND GOVERNMENTAL ETHICS COMMITTEE:** Engrossed House Bill No. 47, House Bill No. 126, House Bill No. 155, House Bill No. 186, Substitute House Bill No. 204, House Bill No. 214, Substitute House Bill No. 219, Engrossed Substitute House Bill No. 227, Engrossed Second Substitute House Bill No. 282, House Bill No. 406, Engrossed House Bill No. 588, Engrossed Substitute House Bill No. 593, House Bill No. 598, House Bill No. 840, House Bill No. 841, House Bill No. 918, House Bill No. 1293, House Bill No. 1304, Substitute House Joint Resolution No. 32.

**ENERGY AND UTILITIES COMMITTEE:** Second Substitute House Bill No. 67, House Bill No. 360, House Bill No. 1307, Engrossed House Joint Memorial No. 15, House Floor Resolution No. 77-11.

**FINANCIAL INSTITUTIONS COMMITTEE:** House Bill No. 21, House Bill No. 670, Engrossed Substitute House Bill No. 685, Substitute House Bill No. 726, Substitute House Bill No. 732, House Bill No. 1267.

**HIGHER EDUCATION COMMITTEE:** Engrossed Substitute House Bill No. 123, House Bill No. 299, House Bill No. 519, House Bill No. 784, Substitute House Bill No. 1234.

**INSURANCE COMMITTEE:** Engrossed Substitute House Bill No. 100, House Bill No. 330, House Bill No. 491, Engrossed Substitute House Bill No. 520, House Bill No. 661, House Bill No. 1166, Engrossed House Bill 1291.

**INSTITUTIONS COMMITTEE:** Engrossed Substitute House Bill No. 13, Second Substitute House Bill No. 307, Engrossed House Bill No. 848, Substitute House Bill No. 854, Engrossed House Bill No. 1252.

**JUDICIARY COMMITTEE:** Engrossed Second Substitute House Bill No. 162, House Bill No. 191, Substitute House Bill No. 249, Second Substitute House Bill No. 252, Engrossed Substitute House Bill No. 257, Substitute House Bill No. 288, Engrossed House Bill No. 356, Substitute House Bill No. 396, House Bill No. 397, House Bill No. 399, House Bill No. 407, Engrossed House Bill No. 409, House Bill No. 413, Substitute House Bill No. 453, House Bill No. 515, House Bill No. 558, Engrossed House Bill No. 614, House Bill No. 635, House Bill No. 664, House Bill No. 686, House Bill No. 709, Substitute House Bill No. 857, House Bill No. 945, Substitute House Bill No. 1145, Engrossed House Bill No. 1164, House Bill No. 1269, House Joint Resolution No. 21.

**LABOR COMMITTEE:** Engrossed House Bill No. 10, Engrossed House Bill No. 38, House Bill No. 39, Substitute House Bill No. 51, Engrossed House Bill No. 59, Engrossed House Bill No. 62, Engrossed House Bill No. 85, House Bill No. 367, Engrossed House Bill No. 429, House Bill No. 467, House Bill No. 494, House Bill No. 498, House Bill No. 516, Engrossed House Bill No. 541, House Bill No. 646, House Bill No. 715, Substitute House Bill No. 735, Engrossed House Bill No. 793, House Bill No. 901, House Joint Memorial No. 8, House Joint Memorial No. 17.

**LOCAL GOVERNMENT COMMITTEE:** House Bill No. 18, Substitute House Bill No. 79, Substitute House Bill No. 127, Engrossed House Bill No. 210, Substitute House Bill No. 318, House Bill No. 436, Substitute House Bill No. 464, Substitute House Bill No. 710, Engrossed House Bill No. 746, House Bill No. 764, Engrossed House Bill No. 787, Engrossed House Bill No. 877, Substitute House Bill No. 1190, Substitute House Bill No. 1258.

**NATURAL RESOURCES COMMITTEE:** Engrossed Substitute House Bill No. 261, Engrossed House Bill No. 275, House Bill No. 279, House Bill No. 341, Engrossed Substitute House Bill No. 534.

**PARKS AND RECREATION COMMITTEE:** Engrossed House Bill No. 37, Engrossed House Bill No. 41, House Bill No. 42, Substitute House Bill No. 43, Engrossed Substitute House Bill No. 44, House Bill No. 48, House Bill No. 229, Engrossed House Bill No. 443, Engrossed House Bill No. 917.

REVENUE COMMITTEE: House Bill No. 32, Engrossed Substitute House Bill No. 71, Engrossed Substitute House Bill No. 102, House Bill No. 115, House Bill No. 130, House Bill No. 500, House Bill No. 501, Substitute House Bill No. 502, House Bill No. 503, Engrossed Substitute House Bill No. 522, House Bill No. 631, House Bill No. 692, Substitute House Bill No. 728, Substitute House Bill No. 773, Engrossed Substitute House Bill No. 861, House Bill No. 916, House Bill No. 1105, House Bill No. 1106, House Bill No. 1144, House Bill No. 1176, House Bill No. 1285, House Bill No. 1337, House Bill No. 1350, Reengrossed Substitute House Joint Resolution No. 15, Engrossed Substitute House Joint Resolution No. 30, Substitute House Joint Resolution No. 42, House Concurrent Resolution No. 30, Engrossed House Concurrent Resolution No. 34.

SOCIAL AND HEALTH SERVICES COMMITTEE: Engrossed House Bill No. 91, Substitute House Bill No. 163, House Bill No. 253, Substitute House Bill No. 254, Engrossed Substitute House Bill No. 305, Substitute House Bill No. 320, Second Substitute House Bill No. 334, House Bill No. 347, Substitute House Bill No. 538, Substitute House Bill No. 684, House Bill No. 688, Substitute House Bill No. 800, House Bill No. 808, Engrossed House Bill No. 812, House Bill No. 819, Substitute House Bill No. 820, Engrossed House Bill No. 1169, House Bill No. 1170, Substitute House Bill No. 1194, Substitute House Bill No. 1278, House Joint Memorial No. 10, House Concurrent Resolution No. 8, House Concurrent Resolution No. 9, House Concurrent Resolution No. 10.

STATE GOVERNMENT COMMITTEE: House Bill No. 54, Engrossed House Bill No. 58, Second Substitute House Bill No. 63, House Bill No. 64, Engrossed House Bill No. 73, Substitute House Bill No. 74, Substitute House Bill No. 76, House Bill No. 143, House Bill No. 213, Engrossed House Bill No. 365, Substitute House Bill No. 574, Engrossed House Bill No. 595, Substitute House Bill No. 620, Substitute House Bill No. 634, House Bill No. 853, Substitute House Bill No. 1021, Second Substitute House Bill No. 1321, Second Substitute House Bill No. 1322, Substitute House Bill No. 1343, Second Substitute House Joint Resolution No. 27, Substitute House Joint Resolution No. 36, Substitute House Joint Resolution No. 54.

TRANSPORTATION COMMITTEE: House Bill No. 109, Engrossed House Bill No. 116, Substitute House Bill No. 149, Substitute House Bill No. 451, House Bill No. 488, Engrossed House Bill No. 543, Substitute House Bill No. 546, Engrossed House Bill No. 671, House Bill No. 672, Substitute House Bill No. 673, House Bill No. 695, Engrossed House Bill No. 708, House Bill No. 712, Engrossed Substitute House Bill No. 718, House Bill No. 758, Engrossed House Bill No. 922, Substitute House Bill No. 1146, Engrossed Substitute House Bill No. 1254, House Joint Memorial No. 12.

#### 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 before the bar of the House and reported they had accomplished their mission.

The report was received and the committee retired.

#### APPEARANCE OF GOVERNOR

The Speaker recognized within the House Chamber, Governor Dixy Lee Ray and appointed Representatives King, Gallagher and Berentson to escort her to the rostrum.

The Speaker: "Governor Ray, we certainly appreciate you taking the time to come up and say hello to us. The little name tag she has on, by the way, says 'GUV.' Governor, while we are waiting for the Senate, which we have been doing for a very long time, would you like to say a few words to us?"

Governor Ray: "Mr. Speaker and members of the House, it's a real privilege for me to be here to play some small role in this historic occasion. This is the first sine die I've been able to indulge in, and on behalf of Jock and myself, we appreciate your hospitality.

"Seriously, I do want to say a word or two about the session that is now drawing to a close. There will be plenty of critics, there always are, and there will be lots of people pointing out what didn't happen and there will be plenty of people complaining about what did. I want you to know, all of you, that having been here and watched your progress from day to day, and having had an opportunity to get to know you, and while I haven't had the occasion to work individually with each of you as yet, we have had a good deal of contact, and I feel strongly that the people's interests have been served, that the decisions that have been made have been reached by considerable deep thought, lots of debate, and a good deal of give and take. This

forty-fifth Legislature has faced up to and resolved issues that have been before the people and the Legislature for a long time. We could start ticking off the accomplishments, and it doesn't take long to come up with them, from pension reform, unemployment compensation, defining basic education, starting that important road toward full funding of our common schools, a budget that doesn't have any significant tax increase in it and yet provides for the continuation and improvement of most of state services. It is truly a great record and you are to be commended and to be complimented.

"As you return home and have more contact with your constituents in your own activities and professions, I am hoping that they will recognize, as we do here in Olympia, how important this process is and how important the achievements are that you have made. We are free to criticize our government and even to scold it, and it may not be the most efficient kind of government that man has ever devised, but it is certainly better than any other form that we know. For me it has been a privilege to get to know you and I look forward to working with you in the future. Mr. Speaker, as a freshman Speaker from a freshman Governor, I bid you God-speed. I look forward to working with you in the interim. Thank you."

#### MOTION

On motion of Mr. King, reading of the Journal of the One Hundred Third Day of the First Extraordinary Session of the Forty-fifth Legislature was dispensed with and it was ordered to stand approved.

#### MOTION

On motion of Mr. King, the House of Representatives of the First Extraordinary Session of the Forty-fifth Legislature adjourned sine die.

JOHN BAGNARIOL, Speaker.

DEAN R. FOSTER, Chief Clerk.

HOUSE LEGISLATIVE LEADERS – 1977–78

Speaker .....	John A. Bagnariol
Speaker Pro Tempore .....	John L. O'Brien
Majority Floor Leader .....	Richard A. King
Majority Caucus Chairman .....	Albert Bauer
Majority Caucus Vice Chairwoman .....	Marion Kyle Sherman
Majority Caucus Secretary .....	Geraldine McCormick
Majority Whip .....	Mary Kay Becker
Assistant Majority Whip .....	Jim Boldt
Assistant Majority Whip .....	Dan Grimm
Assistant Majority Floor Leader .....	Rick Bender
Assistant Majority Floor Leader .....	Donn Charnley
Minority Leader .....	Duane Berentson
Minority Caucus Chairman .....	William Polk
Minority Whip .....	E. G. "Pat" Patterson
Assistant Minority Leader .....	Irv Newhouse
Minority Organization Leader .....	Earl F. Tilly
Assistant Minority Caucus Chairman .....	Alex Deccio
Minority Caucus Vice Chairman .....	William Paris
Assistant Minority Whip .....	Scott Blair
Assistant Minority Whip .....	Simeon R. "Sim" Wilson
Assistant Minority Organization Leader .....	Rod Chandler

APPENDIX  
HOUSE ROSTER - 1977-78  
FORTY-FIFTH SESSION

NAME OF MEMBER	Mailing Address	Age	Birthplace
Adams, A. A. ....	601 No. Yakima Tacoma 98403	76	Washington
Amen, Otto .....	Rt. 1, Box 45 Ritzville 99169	64	Washington
Bagnariol, John A .....	2008 S.E. 17th Ct. Renton 98055	44	Washington
Barnes, Richard O. ....	18118 6th Ave. SW Seattle 98166	55	Iowa
Barr, Scott .....	Rt. 1, Box 130 Edwall 99008	60	Washington
Bauer, Albert .....	13611 N.E. 20th Vancouver 98665	48	Montana
Becker, Mary Kay .....	P.O. Box 81 Bellingham 98225	30	Washington
Bender, Rick S .....	3511 N.E. 158th Pl. Seattle 98155	27	Alaska
Berentson, Duane L. ....	P. O. Box 426 Burlington 98233	48	Washington
Blair, Scott .....	8712 25th N.E. Seattle 98115	46	Washington
Boldt, Jim .....	4416 W. Rio Grande Kennewick 99336	26	Washington
Bond, R.M. "Dick" .....	S. 4226 Crestline Spokane 99203	52	Washington
Burns, Bill .....	2511 W. Montlake Pl. E. Seattle 98112	49	Arkansas
Chandler, Rod .....	13003 N.E. 143rd Kirkland 98033	34	Oregon
Charette, Robert L .....	P. O. Box 63 Aberdeen 98520	53	Washington
Charnley, Donn .....	19344 11th Ave. Seattle 98177	48	Michigan
Clayton, Harold R .....	P.O. Box 351 Toppenish 98948	53	Idaho

Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Retired Chiropractor	27	D	Pierce, pt . . . . .	1969 thru 1976 Ex.
Farmer, Pharmacist	9	R	Adams, Asotin, Garfield, Columbia, pt. Grant, pt Whitman, pt . . . . .	1967 thru 1976 Ex.
Insurance	11	D	King, pt . . . . .	1967 thru 1976 Ex.
Systems Analyst	33	R	King, pt . . . . .	1974 Ex.- 1976 Ex.
Grain & Cattle Producer	7	R	Lincoln, Pend Oreille, Stevens, Ferry Okanogan, pt. Spokane, pt . . . . .	None 1971 thru 1976 Ex.
Rancher	49	D	Clark, pt. . . . .	1976 Ex.
Legal Secretary	42	D	Whatcom, pt . . . . .	1975-76 Ex.
Student	1	D	King, pt Snohomish, pt . . . . .	1973 thru 1976 Ex.
Broker, Dealer in Securities	40	R	San Juan Skagit Whatcom, pt . . . . .	1963 thru 1976 Ex.
Mechanical Engineer	46	R	King, pt . . . . .	1971 thru 1976 Ex.
Environmental Planner	8	D	Yakima, pt . . . . .	Benton 1975-76 Ex.
Gas Company President	6	R	Spokane, pt . . . . .	1975-76 Ex.
Divison Mgr. Sears	43	D	King, pt . . . . .	None
Banker	45	R	King, pt . . . . .	1975-76 Ex.
Attorney	19	D	Pacific, Grays Harbor, pt . . . . .	Senate 1963- 1965 Ex. House-1967- 1976 Ex.
Professor	44	D	King, pt . . . . .	1971 thru 1976 Ex.
Farmer, Owner Clayton Grain	15	R	Yakima . . . . .	None

NAME OF MEMBER	Mailing Address	Age	Birthplace
Clemente, Art .....	16020 Eastshore Ave. Lynnwood 98036	49	Washington
Conner, Paul H .....	Rt. 4, Box 655 Sequim 98382	51	Washington
Craswell, Ellen .....	11826 Kitsap Way Bremerton 98310	44	Washington
Deccio, Alex .....	P.O. Box 1343 Yakima 98901	49	Washington
Douthwaite, Jeff .....	5518 31st N.E. Seattle 98105	47	Canada
Dunlap, Ron .....	3129 109th S.E. Bellevue 98004	39	Indiana
Ehlers, Wayne .....	14301 S. Yakima Parkland 98444	38	Washington
Enbody, Joseph .....	1216 Sunset Way Centralia 98531	30	Washington
Eng, John .....	P.O. Box 18088 Seattle 98118	34	Hong Kong
Erak, John .....	617 West 3rd St. Aberdeen 98520	45	Washington
Erickson, Phyllis K. ....	P.O. Box 44487 Parkland 98444	53	Texas
Fancher, Helen .....	Aeneas Route Tonasket 98855	45	Washington
Fischer, John M. ....	23424 88th W. Edmonds 98020	53	Washington
Flanagan, S.E. "Sid" .....	Rt. 2, 989 Rd. S. NW Quincy 98848	67	Washington
Fortson, Eleanor A .....	4008 SW Camano Dr. Camano Is. 98292	69	Washington
Fuller, W.H. "Bill" .....	330 Brockway Rd. Chehalis 98532	62	Idaho
Gaines, Robert E .....	336 Park Ave. Auburn 98002	53	Montana
Gallagher, P.J. "Jim" .....	125 S. 72nd Tacoma 98408	61	Washington



Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
King County Labor Council	39	D	King, pt. Snohomish, pt . . . . .	1973 thru 1976 Ex.
Longshoreman, Real Estate Farmer	24	D	Clallam, Mason Jefferson Thurston,pt . . . . .	Senate 1957 1959 thru 1976 Ex.
Housewife	23	R	Kitsap . . . . .	None
Insurance Broker	14	R	Yakima, pt . . . . .	1975-76 Ex. 1971 thru 1976 Ex.
Professor	43	D	King, pt . . . . .	1976 Ex.
Engineer/ Economist	41	R	King, pt . . . . .	1975-76 Ex.
Educator	2	D	Pierce, pt. Thurston, pt . . . . .	1973 thru 1976 Ex.
Attorney	20	D	Lewis, Thurston,pt Pacific, pt Cowlitz, pt Wahkiakum . . . . .	None 1973 thru 1976 Ex.
Accountant	37	D	King, pt . . . . .	1976 Ex.
Educator	19	D	Grays Harbor Pacific, pt . . . . .	App't'd. 77
Homemaker	2	D	Pierce, pt Thurston, pt . . . . .	1973 thru 1976 Ex.
Cattle Rancher, Bookkeeper	7	R	Ferry, Stevens Pend Oreille, Lincoln, Spokane, pt Okanogan, pt . . . . .	None
Business Representative	21	D	Snohomish, pt . . . . .	1975 thru 1976 Ex.
Farmer, Cattleman	13	R	Kittitas Grant, pt Yakima,pt . . . . .	1961 thru 1976 Ex.
Homemaker	10	D	Island Snohomish, pt . . . . .	1973 thru 1976 Ex.
Supermarket Operation	20	R	Lewis, Wahkiakum Cowlitz, pt Thurston, pt Pacific, pt . . . . .	None
Mgr-Auburn Chamber/Comm.	30	D	King, pt . . . . .	1973 thru 1976 Ex.
Public Relations	29	D	Pierce, pt . . . . .	1961 thru 1976 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Gilleland, James E .....	3234 Hunts Pt. Rd. Bellevue 98004	59	Washington
Greengo, Irv .....	3203 N.E. 88th Seattle 98115	51	Iowa
Grier, Jack W .....	13002 E. Maxwell Spokane 99216	46	Washington
Grimm, Dan .....	904 7th Ave. SW Puyallup 98371	27	Washington
Gruger, Audrey .....	3727 N.E. 193 Seattle 98155	46	No. Dakota
Haley, Ted .....	5800 100th St. SW Tacoma 98499	56	Washington
Hanna, Ron .....	P.O. Box 5313 Tacoma 98405	39	Washington
Hansen, Frank "Tub" .....	Star Rt. Box 73 Moses Lake 98837	62	Washington
Hawkins, John R .....	3102 N. Monroe Tacoma 98407	34	Washington
Heck, Dennis L .....	707 N.E. 118th Vancouver 98664	24	Washington
Hughes, Jerry M .....	Rt. 11, Box 101 Spokane 99208	32	New York
Hurley, George S .....	10709 1st Ave. N.W. Seattle 98177	69	Washington
Hurley, Margaret .....	E 730 Boone Ave. Spokane 99202		Minnesota
Keller, Ron .....	1319 Dickinson Olympia 98502	39	Washington
Kilbury, Charles D .....	P.O. Box 2482 Pasco 99302	57	Washington
King, Richard A .....	309 77th Pl. SW Everett 98203	42	Washington
Knedlik, Will .....	11454 N.E. 116 Kirkland 98033	30	Washington
Knowles, Walt O .....	E. 8423 Liberty Spokane 99206	60	Washington
Kreidler, Myron B .....	129 San Mar Dr. Olympia 98506	33	Washington
Leckenby, Bill .....	P. O. Box 21185 Seattle 98111	66	Washington
Lee, Eleanor .....	P.O. Box 66274 Burien 98166	45	Illinois

Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Retired Owner/Pres. Oil Company	48	R	King, pt	1971 thru 1976 Ex.
Design Engineer	46	R	King, pt	1975-76 Ex.
Mobile Home Salesman	4	D	Spokane, Whitman	None
Personnel Management	25	D	Pierce, pt. King, pt	None
Homemaker, Citizen Volun.	1	D	King, pt. Snohomish, pt	1976 2nd Ex.
Physician	28	R	Pierce, pt	1975-76 Ex.
Dir. Probation Department	26	D	Kitsap, pt Pierce, pt	1975-76 Ex.
Rancher	13	D	Kittitas, Grant, pt Yakima, pt	1973 thru 1976 Ex.
Planner	26	D	Kitsap, pt Pierce, pt	1974 Ex.- 1976 Ex.
Consultant, Grad. Student	17	D	Skamania, Klickitat, Clark, pt	None
Instructor, Gov. & History	5	D	Spokane, pt	None
Retired	44	D	King, pt	1943-45 Ex. 1975-76 Ex.
Educator	3	D	Spokane, pt	1953 thru 1976 Ex.
Private Businessman	22	D	Thurston, pt	None
Insurance Broker	16	D	Franklin Walla Walla Columbia, pt	1971 thru 1976 Ex.
College Teacher	38	D	Snohomish, pt	1965 thru 1976 Ex.
Attorney	45	D	King, pt	None
Attorney	4	D	Spokane, pt Whitman, pt	1971 thru 1976 Ex.
Optometrist	22	D	Thurston, pt	None
Chairman Leckenby Co.	34	R	King, pt	1967 thru 1970 Ex. 1973 thru 1976 Ex.
Business Manager	33	R	King, pt	1975-76 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Lux, Eugene V .....	11675 Beacon Ave. So. Seattle 98178	51	Nebraska
Lysen, King .....	12864 Shorecrest Dr. S.W. Seattle 98146	34	Minnesota
Martinis, John .....	209 Bridgeway Everett 98201	46	Washington
Maxie, Peggy Joan .....	3302 E. Pine Seattle 98122	40	Texas
May, William J.S .....	W. 3231 Boone Ave. Spokane 99201	74	England
McCormick, Geraldine .....	1829 Northridge Ct. Spokane 99208		Washington
McKibbin, John S .....	11205 N.E. 10th Ave. Vancouver 98665	29	California
Monohon, Carol .....	Rt. 1, Box 136 Raymond 98577	31	Washington
Moreau, Art .....	P.O. Box 165 Bellingham 98225	39	Washington
Nelson, Gary A .....	9710 Wharf St. Edmonds 98020	40	Washington
Nelson, Richard P. ....	3612 Whitman No. Seattle 98103	40	Washington
Newhouse, Irving .....	Rt. 1, Box 130 Mabton 98935	56	Washington
North, Frances .....	Box 441 North Bend 98045	57	Washington
O'Brien, John L .....	1305 Joseph Vance Bldg. Seattle 98101	65	Washington
Oliver, Claude L .....	302 S. Reed Kennewick 99336	30	Washington
Owen, Brad .....	918 Ellinor St. Shelton 98584	26	Washington
Pardini, A. J "Bud" .....	E. 1625 20th Spokane 99203	44	Pennsylvania
Paris, William .....	620 Oregon Way Longview 98632	49	Oklahoma
Patterson, E.G. "Pat" .....	N.E. 400 Campus Pullman 99163	57	Washington
Pearsall, Cathy .....	2604 S. 76th Tacoma 98409	44	Washington
Polk, William M .....	7220 92nd Ave. SE Mercer Island	41	Texas

Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Self-employed	35	D	King, pt . . . . .	1975 thru 1976 Ex.
Real Estate	31	D	King, pt . . . . .	1971 thru 1976 Ex.
Retail Merchant	38	D	Snohomish, pt . . . . .	1969 thru 1976 Ex.
	37	D	King, pt . . . . .	1971 thru 1976 Ex.
Retired Exec. Secty., Labor Council	3	D	Spokane, pt . . . . .	1961 thru 1976 Ex.
Homemaker	5	D	Spokane, pt . . . . .	1969 thru 1976 Ex.
Realtor	49	D	Clark, pt. . . . .	1975-76 Ex.
Law Student	19	D	Grays Harbor, Pacific, pt . . . . .	Appointed to Senate 3/77
Georgia Pacific	42	D	Whatcom, pt . . . . .	1975 thru 1976 Ex.
Engineer Supr. Technical Ed.	21	R	Snohomish, pt . . . . .	1973 thru 1976 Ex.
Technical Consultant	32	D	King, pt . . . . .	None
Diversified Ranching	15	R	Yakima, pt. . . . .	1965 thru 1976 Ex.
Homemaker	47	D	King, pt . . . . .	1973 thru 1976 Ex.
CPA	35	D	King, pt . . . . .	1941 thru 1945 1949 thru 1976 Ex.
Banker	8	R	Benton, Yakima, pt. . . . .	None
Grocery Owner	24	D	Clallam, Mason, Jefferson, Thurston, pt . . . . .	None
Bank Executive	6	R	Spokane, pt . . . . .	1969 thru 1976 Ex.
Minister	18	R	Cowlitz, pt Clark, pt. . . . .	1971 thru 1976 Ex.
Director Alumni Relations	9	R	Adams, Asotin, Garfield, Columbia, pt Grant, pt Whitman, pt . . . . .	1973 thru 1976 Ex.
Store Owner- Manager	29	D	Pierce, pt . . . . .	None
Architect	41	R	King, pt . . . . .	1971 thru 1976 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Pruitt, Paul .....	7537 31st Ave. S.W. Seattle 98126	54	Nebraska
Salatino, James E. ....	1010 N. J, Apt. 9 Tacoma 98403	27	Washington
Sanders, Paul .....	2680 169th S.E. Bellevue 98008	49	Maine
Schmittcn, Rolland A .....	408 S. Division St. Cashmere 98815	32	Washington
Sherman, Marion Kyle .....	24629 S.E. 200th Maple Valley	51	Washington
Shinoda, Paul Y., Jr. ....	511 Pine Ave. Snohomish 98290	38	California
Shinpoch, A.N. "Bud" .....	361 Maple Ave. N.W. Renton 98055	52	Oklahoma
Smith, Rick .....	P.O. Box 68 Silverdale 98383	35	Oregon
Sommers, Helen .....	2516 14th W. Seattle 98119	44	New Jersey
Struthers, Gene .....	1887 Home Ave. Walla Walla 99362	52	Washington
Taller, Joe .....	2852 42nd W. Seattle 98199	42	Washington
Thompson, Alan .....	112 Pleasant Hill Lane Kelso 98626	49	Iowa
Tilly, Earl F. ....	P.O. Box 1845 Wenatchee 98801	42	Oregon
Valle, Georgette .....	1434 S.W. 137th Seattle 98166	52	Minnesota
Vrooman, Jerry L. ....	3120 Marlee Dr. Burlington 98233	35	Oregon
Walk, George W .....	904 9th St. S.W. Puyallup 98371	27	Washington
Warnke, Frank J .....	29457 51st So. Auburn 98002	43	Montana
Whiteside, Jim .....	3612 Howard Ave. Yakima 98902	52	Washington
Williams, Al .....	4801 Fremont N. Seattle 98103	46	No. Dakota
Wilson, Simeon "Sim" .....	P.O. Box 145 Marysville 98270	49	Oregon
Winsley, Shirley J. ....	539 Buena Vista Ave. Fircrest 98466	42	Minnesota

Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Minister	34	D	King, pt	None
Educator	27	D	Pierce, pt	None
Airplane Prog. Manager	48	R	King, pt	None
Forester	12	R	Chelan	None
Writer	47	D	King, pt	1975-76 Ex.
Pres.-Shinoda Floral, Inc.	39	R	King, pt. Snohomish, pt	None
Industrial Engineer	11	D	King, pt	1970 Ex. thru 1976 Ex.
Attorney	23	D	Kitsap, pt	1973 thru 1976 Ex.
Economist	36	D	King, pt	1973 thru 1976 Ex.
Investments & Retail Mgmt.	16	R	Walla Walla, Franklin, Columbia, pt	None
Boeing Indus. Rel. Mgr.	36	R	King, pt	None
Publisher	18	D	Cowlitz, pt Clark, pt	1965 thru 1976 Ex.
Mgr/Tilly Equipment	12	R	Chelan, Douglas Grant, pt Okanogan, pt	1973 thru 1976 Ex.
Homemaker	31	D	King, pt	1965 thru 1965 Ex. 1973 thru 1976 Ex.
Oil Company Operator	40	D	San Juan, Skagit, Whatcom, pt	None
Teacher	25	D	Pierce, pt. King, pt	None
Exec. Dir. Public School Emp.	30	D	King, pt	1965 thru 1965 Ex. 1973 thru 1976 Ex.
Owner, Home Cleaning Bus.	14	R	Yakima, pt	1975 thru 1976 Ex.
Architect	32	D	King, pt	1970 Ex. thru 1976 Ex.
Newspaper Publisher	10	R	Island Snohomish, pt	1973 thru 1976 Ex.
Lakewood Area Ch/Com. Mgr.	28	R	Pierce, pt	1974 3 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Zimmerman, Harold S .....	1432 N.E. 6th Ave. Camas 98607	53	No. Dakota

Name of Officer	Title	Mailing Address	County
Foster, Dean R .....	Chief Clerk	Leg. Bldg. Olympia 98504	Thurston
Young, Ross .....	Sergeant at Arms	620 O'Farrell Olympia 98501	Thurston



Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Newspaper Ed.- Publisher	17 R		Klickitat Skamania Clark, pt.....	1967 thru 1976 Ex.

Birthplace	Age	Occupation	Previous Sessions
Washington	35	Chief Clerk	1973 thru 1976 Ex.
Washington	47	Retired U.S.A.F.	1975-76 Ex.

HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Fifth Legislature - 1977  
Regular and First Extraordinary Sessions

House No.	Relating to:	Chapter No.	Effective Date
	1 Port dists. rent security . . . . .	41	3/21/77
S	3 Nuclear power gen., federal . . . . .	366 Ex.	9/21/77
	12 School bus warning lights . . . . .	45	6/9/77
S	23 Dental disciplinary board act . . . . .	5 Ex.	9/21/77
2S	24 B&O deduct. foreign articles . . . . .	105 Ex.	9/21/77
S	27 Small business office . . . . .	70 Ex.	9/21/77
S	30 Water, sewer hook-up charges . . . . .	72	6/9/77
	35 PUD commissioners, election . . . . .	53	6/9/77
	45 Crop liens, filing period . . . . .	21	6/9/77
	46 Workmen's comp. payments . . . . .	202 Ex.	9/21/77
*	49 Ind. ins., "worker" . . . . .	PV	9/21/77
S	50 Locomotive equip. penalties . . . . .	263 Ex.	9/21/77
	55 Stream patrolmen, regs . . . . .	22	6/9/77
	57 Environmental coord. proced. act . . . . .	54	6/9/77
S	68 Cemetery board . . . . .	351 Ex.	9/21/77
	69 Cost data, boards, comm . . . . .	23	6/9/77
S	70 Historic preserv. office . . . . .	195 Ex.	9/21/77
	95 "Roadway" redefined, transit . . . . .	24	3/17/77
	98 Thermal perform. standard . . . . .	14 Ex.	9/21/77
	104 Min. wage, volun. service . . . . .	69 Ex.	5/24/77
S	105 Econ. dev. definition, corr . . . . .	296 Ex.	9/21/77
	106 Farm veh. loc., parade float . . . . .	25	6/9/77
	108 Fuel tax, special, rev . . . . .	26	6/9/77
	110 Driver's lic. fees distrib . . . . .	27	6/9/77
	111 MV fuel tax interest refunds . . . . .	28	6/9/77
	113 Foreign trade zones . . . . .	196 Ex.	7/1/77
S	120 Business lic. center . . . . .	319 Ex.	7/1/77
	122 Ferry rates, county rev . . . . .	29	6/9/77
S	125 Soldiers', veterans' homes . . . . .	186 Ex.	9/21/77
	136 Ag. conserv. plans, repealed . . . . .	30	6/9/77
S	138 Asian-American comm. cont . . . . .	297 Ex.	7/1/77
	146 Bus transit, contig. states . . . . .	46	3/22/77
	148 Puget Island ferry, approp . . . . .	37	3/21/77
	150 Pub. works, prevailing wage . . . . .	177 Ex.	9/21/77
S	153 Pub. works, resident employ . . . . .	187 Ex.	9/21/77
S	161 Mutual savings banks . . . . .	104 Ex.	9/21/77
S	165 Pub. water sys. coord. act . . . . .	142 Ex.	9/21/77
	167 Bank, trust comp. reports . . . . .	38	6/9/77
S	169 Supplemental budget . . . . .	1	1/31/77
	172 Higher ed., code corrections . . . . .	5	3/7/77
	173 PERS, ins. brds., code corrections . . . . .	6	3/7/77
	174 Departments code corrections . . . . .	7	3/7/77
	175 MV licenses, code corrections . . . . .	8	3/7/77
	176 Athletic comm., code corrections . . . . .	9	3/7/77
	177 Solid waste comm. code corrections . . . . .	10	3/7/77
	180 Long-arm stat., dissolution . . . . .	39	6/9/77
S	181 Emergency technicians . . . . .	55	6/9/77
S	183 Disabled, guardian proc . . . . .	309 Ex.	9/21/77
S	194 Mutual savings bank funds . . . . .	241 Ex.	9/21/77
	195 Wash. futures program, bonds . . . . .	242 Ex.	9/21/77
	199 Arson invest., WSP records . . . . .	30 Ex.	9/21/77

House No.	Relating to:	Chapter No.	Effective Date
S 200	Petty cash account limit . . . . .	40	6/9/77
	208 Contract disputes, atty fees . . . . .	203 Ex.	9/21/77
S 209	Voter's pamph. party proced . . . . .	56	6/9/77
	216 Superintendent, candid . . . . .	73	6/9/77
S 217	Auto trans. co., ins . . . . .	298 Ex.	9/21/77
S 225	Tuition, immigrant refugees . . . . .	265 Ex.	6/15/77
S 228	Motor vehicle towing . . . . .	167 Ex.	6/6/77
	230 Winter rec. parking violation . . . . .	57	6/9/77
	236 Officials, budget violations . . . . .	320 Ex.	7/1/77
	237 Psychol., contin. education . . . . .	58	6/9/77
S 238	Public works wage penalties . . . . .	71 Ex.	9/21/77
	240 Railroad employee transport . . . . .	2 Ex.	3/20/77
	245 Counties, bi-weekly pay . . . . .	42	6/9/77
2S 251	Senior citizens, services . . . . .	321 Ex.	6/30/77
S 255	Treasurers, cert. districts . . . . .	367 Ex.	9/21/77
	262 Game, game fish, protection . . . . .	74	3/30/77
S 267	Highways, land acquisition . . . . .	103 Ex.	5/28/77
* 271	UW med. sch., transfer prog . . . . .	Vetoed	
	274 Trapping license requirement . . . . .	43	6/9/77
S 277	Bear, cougar, hunt, penalty . . . . .	44	6/9/99
	280 Dogs, injuring deer, elk . . . . .	275 Ex.	9/21/77
	285 Vic Meyers golf course, lake . . . . .	266 Ex.	9/21/77
	286 Animals sodium pentobarbital . . . . .	197 Ex.	9/21/77
	287 County roads, electrical equip . . . . .	32 Ex.	9/21/77
S 291	Schools, student transf . . . . .	50	6/9/77
S 292	Water districts, finances . . . . .	299 Ex.	9/21/77
S 293	Sewer districts, finances . . . . .	300 Ex.	9/21/77
S 294	Historic bldgs., wood burning . . . . .	38 Ex.	9/21/77
	298 Forest protection . . . . .	102 Ex.	9/21/77
	301 Public works, bids, adver . . . . .	267 Ex.	9/21/77
S 312	Tuition, portion, ed. costs . . . . .	322 Ex.	6/30/77
	313 Blood withdrawal, liability . . . . .	143 Ex.	9/21/77
S 314	Pharmacy assistants . . . . .	101 Ex.	5/28/77
	316 Nursing home adminis . . . . .	243 Ex.	9/21/77
	321 VD, venipuncture authority . . . . .	59	6/9/77
S 323	Finan. inst. disclos. act . . . . .	301 Ex.	9/21/77
S 327	Water supply syst., operators . . . . .	99 Ex.	1/1/78
	335 Cities, towns, public bids . . . . .	41 Ex.	9/21/77
	338 Banks, trust co. practices . . . . .	178 Ex.	9/21/77
S 340	Securities . . . . .	188 Ex.	9/21/77
S 348	Nursing homes, assess. system . . . . .	244 Ex.	9/21/77
S 353	Victims, crimes comp . . . . .	302 Ex.	9/21/77
	Section 12 effective 7/1/74		
	355 Retirees, prop. tax, income . . . . .	268 Ex.	6/15/77
3S 371	Basic juvenile court act . . . . .	291 Ex.	7/1/78
	Section 57 effective 7/1/77		
	376 Ocean fishing regulations . . . . .	100 Ex.	9/21/77
	382 Drugs, gov't. agcy., tax ex . . . . .	179 Ex.	7/1/77
S 384	Finan. inst. reports, confid . . . . .	245 Ex.	6/15/77
S 385	Life insur. purch., cancel . . . . .	60	6/9/77
	386 Property insur. revisions . . . . .	61	6/9/77
S 387	Insurers, reinsurance . . . . .	180 Ex.	9/21/77
2S 388	Solar energy prop. tax ex . . . . .	364 Ex.	9/21/77
	389 RR cross. traffic dev. reg . . . . .	168 Ex.	6/6/77
*2S 391	Speech path., audiologists . . . . .	Vetoed	
S 393	Banks, trust co., control . . . . .	246 Ex.	9/21/77
S 395	Claims by and against state . . . . .	144 Ex.	9/21/77

\* Action by Governor

House No.	Relating to:	Chapter No.	Effective Date
S 402	State budget document	247 Ex.	6/15/77
414	Jury fees, increase	248 Ex.	9/21/77
417	Gambling, local taxation	198 Ex.	9/21/77
424	Blind commission estab	40 Ex.	9/21/77
S 427	Ferries, county, funding	51	7/1/77
438	Property appraisals, notice	181 Ex.	9/21/77
S 440	Homesteads	98 Ex.	5/28/77
444	Parental liability	145 Ex.	9/21/77
445	Eminent domain, costs	72 Ex.	5/24/77
S 446	Real estate lic., revis	370 Ex.	9/21/77
447	Real estate sales licenses	204 Ex.	9/21/77
448	Real estate cease and desist	261 Ex.	9/21/77
2S 449	Women's commission, estab	288 Ex.	9/21/77
459	Indus. ins. situation change	199 Ex.	9/21/77
S 470	In-service training act	189 Ex.	9/21/77
S 472	Regional universities	169 Ex.	9/21/77
474	Pub. works liens, funds	205 Ex.	9/21/77
495	Unemployment compensation	73 Ex.	9/21/77
506	PUD, sewer system operation	31 Ex.	5/16/77
S 508	Hypodermic needles, sale	249 Ex.	6/15/77
S 512	Salaries, direct deposits	269 Ex.	9/21/77
S 531	Risk management system	270 Ex.	9/21/77
553	Theatre employees, overtime	74 Ex.	9/21/77
* 559	Insur. board, retired person	PV 190 Ex.	9/21/77
S 563	Unemployment compensation	33 Ex.	Various
564	Sunset act	289 Ex.	6/17/77
S 572	Life insurance policy loans	250 Ex.	9/21/77
573	Session laws publication	23 Ex.	5/6/77
580	Telephones, fraudulent use	42 Ex.	9/21/77
S 581	Prescrip. drugs, subs	352 Ex.	9/21/77
582	Yakima River conservation	75 Ex.	9/21/77
583	Senior citizens' school fees	170 Ex.	9/21/77
584	Reemploy., higher ed. age 70	276 Ex.	9/21/77
585	College boards, treasurers	52	6/9/77
S 601	Gambling	76 Ex.	9/21/77
S 604	Industrial ins. revisions	323 Ex.	7/1/77
613	Tax equal. proced. repealed	29 Ex.	5/16/77
S 615	Death penalty	206 Ex.	6/10/77
617	Mutual savings bank expenses	171 Ex.	9/21/77
618	Securities regulation	172 Ex.	9/21/77
S 619	Pub. retire. sys. invest	251 Ex.	9/21/77
623	Nonprofit water assoc	368 Ex.	9/21/77
S 625	Central credit unions	207 Ex.	9/21/77
627	Irrigation, sewer districts	208 Ex.	9/21/77
642	Taxes, destroyed property	200 Ex.	9/21/77
S 643	Child visitation rights	271 Ex.	9/21/77
649	Cosmetology regulations	310 Ex.	9/21/77
653	Land dev. add. improv. pmts	252 Ex.	9/21/77
S 656	Surplus textbooks, equip	303 Ex.	9/21/77
657	PERS board, public members	34 Ex.	9/21/77
S 660	LEAP committee	373 Ex.	7/15/77
S 662	High. ed. professional leaves	173 Ex.	7/1/77
S 674	Ag. products, sale, transf	304 Ex.	9/21/77
S 675	Pay toilets	97 Ex.	9/21/77
S 678	Livestock theft, damages	174 Ex.	9/21/77
683	Fraternal societies, insur	96 Ex.	9/21/77
691	Public depository liability	95 Ex.	9/21/77

House No.	Relating to:	Chapter No.	Effective Date
	694 State patrol, prop. disposal	191 Ex.	9/21/77
S	697 Learning objectives, K-12	305 Ex.	9/21/77
	703 Motor vehicle wreckers	253 Ex.	9/21/77
	727 Vehicle accident reports	369 Ex.	9/21/77
	733 Transporter plates, misuse	254 Ex.	9/21/77
S	737 School dist. students insur.	255 Ex.	9/21/77
S	741 Property tax exemptions	209 Ex.	9/21/77
*S	743 Marine transfer facilities	Vetoed	
	753 Sewer dist. poll, contr. bonds	146 Ex.	9/21/77
	755 Tamperproof licenses	27 Ex.	9/21/77
	768 Higher ed. degree programs	201 Ex.	9/21/77
	778 State patrol, retire allow	256 Ex.	9/21/77
	779 Labor liens, group filing	176 Ex.	9/21/77
	797 Habitual traffic offenders	138 Ex.	6/1/77
S	798 Discriminatory boycotts	192 Ex.	9/21/77
	816 Highway prop. tenant purch	37 Ex.	9/21/77
*S	821 Crosswalk curb ramps	PV 137 Ex.	9/21/77
	825 County road admin. good prac	257 Ex.	9/21/77
	828 Collection agency penalties	194 Ex.	9/21/77
S	837 Mount Si, Little Si preserve	306 Ex.	9/21/77
S	839 Historic sites, pub. tax ex	35 Ex.	7/1/77
	842 Business corporations	193 Ex.	6/8/77
	852 Nuclear generating contracts	28 Ex.	5/16/77
S	865 PERS revised, established	295 Ex.	10/1/77
S	866 TRS, revised	293 Ex.	10/1/77
S	867 LEOFF revised sys, created	294 Ex.	10/1/77
S	873 Forest products, cedar	147 Ex.	9/21/77
2S	874 Probation services, funds	307 Ex.	7/1/77
	878 PUD classification, reclass	36 Ex.	9/21/77
	879 Highways, shoulder driving	39 Ex.	9/21/77
S	880 School dists. principals	272 Ex.	9/21/77
*S	912 Unclaimed personal property	Vetoed	
	921 Fork lifts, licenses, brakes	148 Ex.	9/21/77
	927 Community college employees	94 Ex.	9/21/77
*S	928 Energy emergency powers	PV 328 Ex.	6/30/77
	933 Roadside information panels	258 Ex.	9/21/77
S	936 Library dist., cities, towns	353 Ex.	9/21/77
S	952 Motor vehicle, fed. standards	355 Ex.	9/21/77
S	960 Basic education act	359 Ex.	9/1/77
S	980 Ferry vessels, bonds	360 Ex.	7/1/77
S	1009 Sales, use, B&O increase	324 Ex.	6/30/77
	1086 School levy limitations	325 Ex.	7/1/77
S	1120 Water rights, summons	357 Ex.	7/1/77
S	1132 Commercial driving records	356 Ex.	9/21/77
	1133 Gambling revisions	326 Ex.	6/30/77
S	1142 Felony judgment fingerprints	259 Ex.	6/15/77
	1153 Handicapped employ. service	273 Ex.	9/21/77
S	1184 Salmon facility bonds	308 Ex.	6/21/77
3S	1188 Salmon enhancement program	327 Ex.	1/1/78
S	1189 Nursing home audits	260 Ex.	9/21/77
S	1213 Housing authorities, public	274 Ex.	9/21/77
	1229 Boiler inspection revisions	175 Ex.	9/21/77
	1232 Catalytic converters removed	264 Ex.	6/15/77
	1260 Insurance bonds fees license	182 Ex.	9/21/77
	1262 Insurance guaranty assn	183 Ex.	9/21/77
	1263 Operating agencies	184 Ex.	9/21/77
	1264 Public body refunding bonds	262 Ex.	6/15/77

\* Action by Governor

House No.	Relating to:	Chapter No.	Effective Date
S 1265	High. ed. limited bonds refund .....	354 Ex.	7/1/77
S 1266	Gen. ad. deputy supervisors .....	185 Ex.	9/21/77
1284	UW, metropolitan tract .....	365 Ex.	7/14/77
2S 1306	State officials' salaries .....	318 Ex.	7/1/77
S 1310	Shoreline mgmt. date of filing .....	358 Ex.	9/21/77
*S 1348	Uninsured motorist coverage .....	Vetoed	

HOUSE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE

Forty-Fifth Legislature - 1977  
Regular and First Extraordinary Sessions

No. Subject:

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HOUSE JOINT MEMORIALS

1 Insecticide, federal act amended

HOUSE JOINT RESOLUTIONS

55 Transportation, reasonable costs

56 Short-haul differential

57 Combinations, carriers

HOUSE CONCURRENT RESOLUTIONS

2 Fisheries, tri-state committee

3 Legislature organized, Governor notified

4 "Issaquah," name of new ferry

5 Secretary of State, message, inauguration

17 Joint session, Governor's energy message

18 "Kittitas," name of new ferry

23 Memorial service, deceased members

26 Legislative bills, status

27 Adjournment sine die

28 Legislature organized, Governor notified

31 Joint Session, Governor, Alaska

32 Joint rules

33 Intergovernmental relations committee

35 Bills transmitted to house of origin

36 Sine die, Governor notified

SENATE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Fifth Legislature - 1977  
Regular and First Extraordinary Sessions

Senate No.	Relating to:	Chapter No.	Effective Date
	2002 Controlled subst. penal. inst . . . . .	43 Ex.	9/21/77
	2005 County equal. board, payment . . . . .	33	6/9/77
	2014 Indians, obsolete laws . . . . .	81 Ex.	9/21/77
S	2019 Legal publications, require . . . . .	34	6/9/77
	2021 Puget Island ferry, SR4 alt . . . . .	11	6/9/77
	2024 County equip. rental funds . . . . .	67	6/9/77
	2029 Bicentennial comm. abolished . . . . .	17 Ex.	5/4/77
S	2032 Minor polit. parties . . . . .	329 Ex.	6/30/77
S	2034 Election laws, revisions . . . . .	361 Ex.	1/1/78
2S	2040 Jail standards . . . . .	316 Ex.	6/23/77
*	2042 Pilotage license changes . . . . .	PV 337 Ex.	9/21/77
S	2052 Mobile homes, permits, taxes . . . . .	22 Ex.	5/6/77
	2055 Copyright protection, rates . . . . .	82 Ex.	9/21/77
S	2056 Excess school levy elec . . . . .	4	2/24/77
	2057 Traffic offense records . . . . .	3 Ex.	9/21/77
	2060 Carey Act, repealed . . . . .	12	6/9/77
	2061 Proprietary hospitals . . . . .	154 Ex.	9/21/77
S	2063 Legislation, fiscal notes . . . . .	25 Ex.	9/21/77
	2065 County homesites, repealed . . . . .	13	6/9/77
	2066 Township guideposts, repealed . . . . .	14	6/9/77
	2067 Traffic safety ed. courses . . . . .	76	6/9/77
	2068 Township supervisors, duties . . . . .	15	6/9/77
	2069 Youth service corps act . . . . .	83 Ex.	9/21/77
	2071 Health care prac. immunity . . . . .	68	6/9/77
	2074 Hospital commission staff . . . . .	35	6/9/77
	2075 Convents, not nursing homes . . . . .	48	6/9/77
	2078 Cremation, redefined . . . . .	47	6/9/77
	2079 Funeral directors, unfair practices . . . . .	49	6/9/77
	2081 Warrant servers, mun. court . . . . .	108 Ex.	9/21/77
*S	2082 Regulatory reform act . . . . .	Vetoed	
	2083 Autopsies, authorized . . . . .	79	6/9/77
	2088 Highways, supp. appropriation . . . . .	2	2/10/77
	2090 Legend drugs, prescrip. author . . . . .	69	6/9/77
	2091 Hospital commission terms . . . . .	36	6/9/77
	2095 State treas., receipts, issue . . . . .	16	6/9/77
	2096 State treas., deposits, loans . . . . .	17	6/9/77
	2097 Aliens, obsolete restr. repealed . . . . .	16 Ex.	9/21/77
	2098 Judges' retirement fund, adm . . . . .	18	6/9/77
2S	2104 Fishing vessels, licenses . . . . .	106 Ex.	5/28/77
	2106 Internal revenue serv. liens . . . . .	62	6/9/77
*S	2107 Drinking estab. occupancy . . . . .	Vetoed	
	2108 Public transportation benefit areas . . . . .	44 Ex.	7/1/77
	2110 Superior court litigants' fund . . . . .	63	6/9/77
	2111 Counties, county officials . . . . .	221 Ex.	9/21/77
*S	2113 Tuition, nonresident aliens . . . . .	PV 155 Ex.	9/21/77
	2114 State parks, concessions . . . . .	123 Ex.	9/21/77
S	2121 State gov't. publications . . . . .	232 Ex.	9/21/77
	2122 Foreign judgments . . . . .	45 Ex.	9/21/77
	2123 Fire commission, vacancies . . . . .	64	6/9/77
	2124 Highway bids, postponement . . . . .	65	6/9/77
S	2125 Railway bridges, walkways . . . . .	46 Ex.	9/21/77

\* Action by Governor



Senate No.	Relating to:	Chapter No.	Effective Date
	2126 Train emp. working hours . . . . .	70	6/9/77
S	2129 Agency rules, purpose . . . . .	84 Ex.	9/21/77
S	2130 WAC rules, drafting style . . . . .	19	6/9/77
S	2132 PUD commissioners, salaries . . . . .	157 Ex.	9/21/77
*	2133 Reports, agencies, officials . . . . .	PV 75	6/9/77
S	2143 Superior court judges . . . . .	311 Ex.	11/1/77
S	2154 Indus. ins. actions, 3rd party . . . . .	85 Ex.	9/21/77
*	2156 Health care prof. self-insur . . . . .	Vetoed	
	2157 Medical discipl. board, pub. members . . . . .	71	6/9/77
	2159 Malicious prosecution . . . . .	158 Ex.	9/21/77
	2160 Sch., ed. serv. dist. contracts . . . . .	210 Ex.	9/21/77
S	2161 Community coll. bond funds . . . . .	223 Ex.	6/14/77
	2164 Pub. lands, crops, livestock . . . . .	20	6/9/77
	2166 Print. dupl. manage. center . . . . .	86 Ex.	9/21/77
S	2169 Sand, gravel, shorelines . . . . .	87 Ex.	5/26/77
	2171 RR crossings, vehicles stop . . . . .	78	6/9/77
	2172 Acupuncturists licensing . . . . .	233 Ex.	9/21/77
	2175 Alcohol. bev. sales, dispens . . . . .	9 Ex.	4/22/77
	2180 Small water companies . . . . .	47 Ex.	9/21/77
	2181 Surface mining, bond req . . . . .	66	6/9/77
	2182 Transporter companies . . . . .	48 Ex.	9/21/77
	2184 Contractors' bonds . . . . .	11 Ex.	9/21/77
	2185 Aliens, teachers, schools . . . . .	340 Ex.	9/21/77
	2189 MV-Reciprocity commission . . . . .	92 Ex.	9/21/77
	2190 Veterans, veterans' affairs . . . . .	31	6/9/77
	2196 Superior court clerks, fees . . . . .	107 Ex.	9/21/77
*S	2197 Escrow . . . . .	PV 156 Ex.	9/21/77
	2199 Alcoholism, driver's license . . . . .	162 Ex.	9/21/77
	2200 Resource land management bank . . . . .	109 Ex.	9/21/77
	2201 School transp. route costs . . . . .	80	6/9/77
	2202 Public lands, accounts . . . . .	159 Ex.	9/21/77
	2208 Agriculture, misc. revisions . . . . .	26 Ex.	9/21/77
S	2210 Funeral, cemetery services . . . . .	163 Ex.	9/21/77
	2211 Harbor lines comm. authority . . . . .	124 Ex.	9/21/77
	2215 Probate, revisions . . . . .	234 Ex.	9/21/77
	2217 Hospital dists., job candidates . . . . .	211 Ex.	9/21/77
	2222 Appeals court judges . . . . .	49 Ex.	9/21/77
	2225 Tree fruit center, funds . . . . .	32	3/21/77
2S	2232 Educational clinics . . . . .	341 Ex.	9/21/77
S	2235 Social, health facility bonds . . . . .	342 Ex.	7/1/77
	2241 Laetrile, use, permitted . . . . .	122 Ex.	9/21/77
	2242 Fisheries, capital proj. bonds . . . . .	343 Ex.	7/1/77
S	2244 MV dealers licensing . . . . .	125 Ex.	6/1/77
S	2245 School cert. emp. contract rights . . . . .	7 Ex.	9/21/77
	2251 Ag. fairs, seasonal employees . . . . .	4 Ex.	9/21/77
	2254 Blood samples, traffic fatal . . . . .	50 Ex.	9/21/77
	2258 Public funds transference . . . . .	15 Ex.	7/1/77
	2263 Employment agency regulation . . . . .	51 Ex.	9/21/77
S	2268 OPP&FM, per diem rates, est . . . . .	312 Ex.	6/21/77
	2272 WSU construction, bonds . . . . .	344 Ex.	7/1/77
	2273 Tuition, joint programs . . . . .	126 Ex.	9/21/77
S	2274 Higher ed. facilities, bonds . . . . .	345 Ex.	7/1/77
	2277 Comm. colleges, facilities bonds . . . . .	346 Ex.	7/1/77
	2282 Political finances . . . . .	313 Ex.	1/1/78
	2286 Funeral establishments . . . . .	93 Ex.	9/21/77
	2288 Census procedures, reg . . . . .	110 Ex.	9/21/77
	2295 Administrative decis. review . . . . .	52 Ex.	9/21/77

\* Action by Governor

Senate No.	Relating to:	Chapter No.	Effective Date
2300	Jury fees, increases	53 Ex.	9/21/77
2301	Witness fees, mileage	54 Ex.	9/21/77
2302	Garnishment writ, fee	55 Ex.	9/21/77
2310	Salaries, public officials	127 Ex.	9/21/77
2314	County auditor fees	56 Ex.	9/21/77
2315	Real estate license fees	24 Ex.	9/21/77
2324	Materialmen's lien, notice	57 Ex.	1/1/78
* 2325	Fiscal notes, local government	PV 19 Ex.	9/21/77
2338	Sheltered workshops, costs	10 Ex.	9/21/77
2341	Hunting season, special drawing	58 Ex.	9/21/77
2344	Game fines, forfeiture distr	59 Ex.	9/21/77
S 2356	Precincts	128 Ex.	6/1/77
2365	Highways, real property	78 Ex.	9/21/77
2371	Model traffic ordinance	60 Ex.	9/21/77
2374	Low clearance, weight limit	81	3/30/77
2378	State route 290, Spokane	6 Ex.	9/21/77
S 2382	State parks, senior citizens	330 Ex.	9/21/77
*S 2383	Salary surveys, pub. empl	PV 152 Ex.	9/21/77
2384	Contractors regis. renewal	61 Ex.	9/21/77
2385	Highways, design procedures	77	3/30/77
2387	Mobile home regulations	21 Ex.	9/21/77
S 2399	Saturday holidays, Friday	111 Ex.	9/21/77
2400	Financial management office	114 Ex.	9/21/77
2408	Liquor control board, regs.	115 Ex.	9/21/77
2416	Controlled sub. forfeiture	77 Ex.	9/21/77
2418	Criminal justice training	212 Ex.	9/21/77
2419	Communications recording	363 Ex.	9/21/77
2421	Hearing examiners, zoning	213 Ex.	9/21/77
2426	Employment security records	153 Ex.	9/21/77
2429	Charitable solicitations	222 Ex.	9/21/77
S 2430	Metro merger	277 Ex.	7/1/78
S 2431	Statue, national capitol	13 Ex.	9/21/77
S 2435	Higher ed. operating fees	331 Ex.	9/1/77
2437	School bus safety compact	88 Ex.	9/21/77
2439	Urban arterial funds, extend	214 Ex.	9/21/77
2441	Horse race courses, counties	372 Ex.	9/21/77
2443	Elec. examiners brd. duties	79 Ex.	9/21/77
2444	Recidivist alcoholics, prog.	129 Ex.	9/21/77
S 2445	Automotive repair regs	280 Ex.	9/21/77
2447	Soft tree fruits, assessment	8 Ex.	9/21/77
2451	Equalization board appeals	290 Ex.	9/21/77
2452	Alcoholics custod. restraint	62 Ex.	9/21/77
2453	Small loan companies	150 Ex.	9/21/77
2460	Hostels, authorized	281 Ex.	9/21/77
2472	Off-road vehicles	220 Ex.	9/21/77
2478	Higher ed. debt collections	18 Ex.	5/4/77
2479	PA, earned income exemption	215 Ex.	9/21/77
2480	Unemployment comp. revisions	292 Ex.	Various
2484	Motor freight carriers	63 Ex.	9/21/77
2485	Highways, classifications	130 Ex.	7/1/77
(Section 2 effective 7/1/79)			
2486	Highways, closing, traffic	216 Ex.	9/21/77
S 2489	PUD's, purchasing	116 Ex.	9/21/77
2493	Comm. colleges, revisions	282 Ex.	9/21/77
(Sections 2 and 3 effective 1/1/78)			
2500	State route 285, Wenatchee	224 Ex.	9/21/77
S 2502	Assessments, equalization	284 Ex.	9/21/77

Senate No.	Relating to:	Chapter No.	Effective Date
	2510 Transportation centers . . . . .	217 Ex.	9/21/77
*	2512 Historic buildings, state use . . . . .	Vetoed	
	2516 Apiaries, revisions . . . . .	362 Ex.	9/21/77
S	2522 MV excise tax increase . . . . .	332 Ex.	7/1/77
S	2525 Transportation studies . . . . .	235 Ex.	6/15/77
S	2527 MV, criminal possession . . . . .	236 Ex.	9/21/77
S	2529 Highway construction plans . . . . .	225 Ex.	9/21/77
S	2530 School bus length increased . . . . .	64 Ex.	5/24/77
S	2537 DMV, fuel tax rates . . . . .	317 Ex.	7/1/77
S	2543 Highways, appropriation . . . . .	333 Ex.	6/30/77
S	2544 Highways, special approp . . . . .	237 Ex.	6/15/77
S	2558 Motor vehicles dept. renamed . . . . .	334 Ex.	7/1/77
	2561 Cloud seeding, emergency prog . . . . .	3	2/21/77
	2563 Presidential electors, vote . . . . .	238 Ex.	9/21/77
S	2565 UCC duties, transferred . . . . .	117 Ex.	7/1/77
	2570 School facilities, cost program . . . . .	89 Ex.	9/21/77
S	2591 High. ed. brds. travel expense . . . . .	118 Ex.	9/21/77
S	2593 Comm. coll. military prog . . . . .	131 Ex.	9/21/77
S	2608 Criminal records privacy act . . . . .	314 Ex.	9/21/77
S	2619 Irrig. dists., LID's bonds . . . . .	119 Ex.	5/31/77
2S	2620 Emergency powers, drought . . . . .	1 Ex.	3/25/77
S	2634 Columbia River Gorge permits . . . . .	132 Ex.	9/21/77
S	2638 Sewage disposal alternatives . . . . .	133 Ex.	9/21/77
S	2654 Environmental policy actions . . . . .	278 Ex.	9/21/77
	2662 Veterans' advisory comm . . . . .	285 Ex.	9/21/77
	2667 Yakima migrant housing . . . . .	287 Ex.	9/21/77
	2668 Mobile home landlord/tenant . . . . .	279 Ex.	9/21/77
	2675 Shoplifting penalties . . . . .	134 Ex.	9/21/77
	2678 Computer tape, voters' lists . . . . .	226 Ex.	9/21/77
S	2681 Funds, treasurer, transfers . . . . .	65 Ex.	5/24/77
*S	2697 School excess levy limits . . . . .	Vetoed	
	2714 Timber tax modified . . . . .	347 Ex.	7/1/77
S	2731 Plumbers, cert. fees, penalty . . . . .	149 Ex.	9/21/77
	2747 Surplus fed. prop. disposal . . . . .	135 Ex.	9/21/77
	2769 Contractor reg. renewal fees . . . . .	66 Ex.	7/1/77
S	2810 Ed. serv. dist., existing funds . . . . .	283 Ex.	9/21/77
S	2811 Non-ASB program funds . . . . .	160 Ex.	9/21/77
	2825 Vehicles, propone usage . . . . .	335 Ex.	7/1/77
	2831 Sch. dist. summons, vets day . . . . .	120 Ex.	9/21/77
	2839 Nonprofit, transmission prop . . . . .	348 Ex.	9/21/77
S	2851 Health care, state employees . . . . .	136 Ex.	7/1/77
S	2858 Solid waste disposal . . . . .	164 Ex.	9/21/77
	2864 Accident reports . . . . .	68 Ex.	9/21/77
	2868 Fire dists. merger, brd, mem . . . . .	121 Ex.	9/21/77
*S	2872 Disabled persons, language . . . . .	PV 80 Ex.	5/24/77
S	2873 Legislative ethics . . . . .	218 Ex.	9/21/77
S	2877 Ethics, disclosure . . . . .	336 Ex.	9/21/77
S	2889 School plant facilities aid . . . . .	227 Ex.	9/21/77
S	2910 Energy fac. site council . . . . .	371 Ex.	7/15/77
*S	2924 Transportation department . . . . .	PV 151 Ex.	9/21/77
	2927 Abandoned animals, removal . . . . .	67 Ex.	9/21/77
*S	2956 Outdoor advertising, comp . . . . .	PV 141 Ex.	9/21/77
S	2975 Skiers, ski resort operators . . . . .	139 Ex.	9/21/77
	2990 Golfing sweepstakes, bowling . . . . .	165 Ex.	9/21/77
	3002 Scenic river system . . . . .	161 Ex.	9/21/77
	3004 Judicial council members . . . . .	112 Ex.	9/21/77
	3009 Park, recreation ex. levies . . . . .	90 Ex.	5/26/77

\* Action by Governor

Senate No.	Relating to:	Chapter No.	Effective Date
S 3010	Tort claims fund, approp.....	228 Ex.	6/14/77
3015	Liquefied natural gas, study .....	315 Ex.	9/21/77
3017	Ports, property transfer .....	91 Ex.	9/21/77
3019	SPI, transportation appropriation.....	12 Ex.	4/25/77
S 3028	Revenue bonds - reserves .....	229 Ex.	9/21/77
*S 3036	Alcoholic beverage control .....	PV 219 Ex.	9/21/77
S 3044	Ind. ins. phys. ass'ts. care .....	239 Ex.	9/21/77
*S 3054	Timber tax distribution .....	Vetoed	
3058	Vol. law enforce. ind. ins .....	113 Ex.	9/21/77
3060	MV headlamps, int'l. standard .....	20 Ex.	9/21/77
2S 3067	State register act .....	240 Ex.	1/1/78
3068	School dist. August start .....	286 Ex.	9/21/77
S 3071	Fishgear reduction, update .....	230 Ex.	9/21/77
S 3093	Ferry construction, proced .....	166 Ex.	6/6/77
2S 3097	Fire service train. center .....	349 Ex.	7/1/77
S 3098	Driving record abstracts .....	140 Ex.	9/21/77
S 3105	Bomb threat penalty .....	231 Ex.	6/14/77
*S 3109	General state gov't. budget .....	PV 339 Ex.	6/30/77
*S 3110	Capital budget .....	PV 338 Ex.	7/1/77

SENATE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE

Forty-Fifth Legislature - 1977  
Regular and First Extraordinary Session

No.      Subject:

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SENATE JOINT MEMORIALS

- 109      Marine measurements standard
- 110      Drought relief applications

SENATE JOINT RESOLUTIONS

- 113      Justices of peace, jurisdiction

SENATE CONCURRENT RESOLUTIONS

- 101      Washington/British Columbia coop., joint committee
- 103      Bills consideration cutoff
- 105      State actuary
- 110      Council, state governments
- 113      Special session cutoff dates
- 114      Legislative bills, reintroduction
- 116      Budget bills, consideration
- 117      Amending SCR 113
- 118      Amending SCR 113
- 120      Amending SCR 113
- 121      Amending SCR 113
- 123      Fisheries department analysis
- 124      British Columbia/Washington joint committee

GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED

Regular and First Extraordinary Session - 1977

July 1, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 49 entitled:  
"AN ACT Relating to industrial insurance;"

Section 30 of the bill purports to amend RCW 51.24.010 to change "workman" to "worker". Because Senate Bill No. 2154, codified in Chapter 85, Laws of 1977, 1st Extraordinary Session, approved by me on May 26, 1977, repealed that section of the RCW and made other substantive changes in the law dealing with the same subject and using the term "worker", section 30 is therefore unnecessary.

With the exception of section 30 which I have vetoed, the remainder of House Bill No. 49 is approved.

Sincerely,  
Dixy Lee Ray, Governor.

July 7, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 271 entitled:

"AN ACT Relating to health; adopting procedures for the establishment of transfer and clinical training programs at the University of Washington School of Medicine for Washington residents attending foreign medical schools; creating new sections; adding a new section to chapter 18.71 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; Making an appropriation; and declaring an emergency."

This bill mandates the University of Washington to adopt policies that provide both transferring and clinical training opportunities for Washington State residents attending foreign medical schools outside the United States, Canada, or Puerto Rico. In fulfilling this mandate, the School of Medicine at the University of Washington is required to fill all third and fourth year vacancies with Washington State residents attending foreign medical schools. This effectively bases selection and matriculation criteria on the place where the student is enrolled and not on student qualifications.

The proposed foreign medical student policy also eliminates admission opportunities and appears to discriminate against other resident medical students. All vacancies are filled with resident students in certain foreign countries, thereby eliminating enrollment opportunities for Washington State residents attending medical schools within the United States. This policy does not provide full and fair consideration to all students because there are no transfer provisions to accommodate the admission of potentially more qualified medical students enrolled in programs within the United States over less qualified medical students enrolled in foreign medical programs.

In addition, after contact with administrators at the School of Medicine, and with reference to written assurance that the matter of the admission of students from foreign medical schools will be voluntarily and satisfactorily handled, I am persuaded to allow a program to be developed. I am reluctant to approve a legislative mandate forcing certain steps to be taken; however, I, as Governor, will keep a close watch on the actions of the University of Washington School of Medicine during the next two years and if the warning as sounded by this Legislature in House Bill No. 271 is not heeded, I will be convinced that statutory persuasion may be necessary.

For the foregoing reasons, I have determined to veto House Bill No. 271.

Respectfully submitted,  
Dixy Lee Ray, Governor.

July 7, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval Second Substitute House Bill No. 391 entitled:

"AN ACT Relating to speech pathologists and audiologists; adding a new chapter to Title 18 RCW; prescribing a termination date; and prescribing penalties."

It is with some reluctance I veto Second Substitute House Bill No. 391; however, there are several areas of concern. First of all, I am not fully persuaded that there is an immediate need for a board of speech pathology and audiology examiners. It is my position that unless such need is clearly required in the public interest, the creation and addition of a new board to the already overburdened operation of state government is questionable. Further, it would appear that the professionalism of the contemplated board should require the service of a medical doctor as a member. The bill makes no such provision. Other general provisions of the bill would indicate that the board is self-serving in nature. I would think the proposal needs additional careful legislative scrutiny.

For these reasons, I have respectfully vetoed Second Substitute House Bill No. 391.

Sincerely,  
Dixy Lee Ray, Governor.

June 8, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 559 entitled:

"AN ACT Relating to the state employees' insurance board; reenacting and amending section 1, chapter 6, Laws of 1977 and section 34, chapter ... (ESB 2133), Laws of 1977 and RCW 41.05.020; and declaring an emergency."

Section 2 of the bill declares an emergency and provides for the act to take effect immediately. Under the Constitution, Article II, Sections 1(b) and 41, the use of an emergency clause does two things. First, it alters the time when a particular piece of legislation becomes effective, thereby eliminating what may be a desirable adjustment period for affected persons. Second, it excepts the legislation from the important referendum right reserved by the people. Because of these effects, the use of the clause should be restricted to those instances where the use is clearly warranted due to the urgency of the situation. For these reasons, I have vetoed this section.

With the exception of section 2, which I have vetoed, the remainder of House Bill No. 559 is approved.

Sincerely,  
Dixy Lee Ray, Governor.

July 7, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 743 entitled:

"AN ACT Relating to petroleum transfer and safety; creating new sections; and declaring an emergency."

Were this bill to become law, it would limit "...future additional marine bulk crude petroleum shipment transfer facilities to one such facility." (Sec. 1.) That single facility, as required by Section 2(1), could be constructed and operated only on the Strait of Juan de Fuca at or west of Port Angeles. SHB 743 also requires that "...a crude petroleum transmission pipeline connecting with such a facility (can be approved) only if such a pipeline is designed to be located entirely within the United States..." and prohibits any portion of such pipeline from

crossing the Cedar or Green River watersheds. Finally, Section 2(3) allows modification of existing receiving or transfer facilities only for repair, maintenance, or to make the facility safer.

In my judgment all of these requirements are unduly restrictive. Moreover, neither the economic nor the environmental consequences of these restrictions have been adequately analyzed. This is all the more surprising since a mechanism exists in law for thorough fact finding and thoughtful review for the siting of all energy facility proposals.

In 1970 the Washington State Legislature passed the enabling statute that created the Energy Facility Site Evaluation Council, now operating under RCW ch. 80.50. In taking this action, "the legislature finds that the present and predicted growth in energy demands in the State of Washington requires the development of a procedure for the selection and utilization of sites for energy facilities and identification of a state position with respect to each proposed site." The Legislature reaffirmed this policy last year with the passage of Substitute Senate Bill No. 3172 which expanded the scope of the original Thermal Facility Siting Council to other major energy facilities including crude petroleum transfer facilities and transmission pipelines.

The Legislative intent in enacting the siting law is clear: "...to ensure through available and reasonable methods, that the location and operation of such facilities will produce minimal adverse effects on the environment, ecology of the land and its wildlife," and the ecology of state waters and their aquatic life.

"It is the intent to seek courses of action that will balance the increasing demands for energy facility location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

"(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

"(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water, and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment."

The procedure that the Council has established in accordance with this legislative intent provides for the orderly review of the complex technical issues surrounding the siting of an energy facility through contested case hearings. Only after these extensive hearings and review of the entire transcript does the Council make its recommendation on the proposed site. This orderly, deliberative, fact-finding quasi-judicial procedure should be followed before any final decision is made on a major oil port in this state.

It is particularly important that a deliberative procedure be followed so as to make available all the facts and conjectures, both those that are supportive as well as those in opposition—only then will the public know the full basis for any final recommendation.

The Energy Facility Site Evaluation Council, as created by the legislature is an independent body. Its authority and membership is determined by law. It cannot be controlled by the Governor despite some effort in the past to do so. Its procedures are open and orderly, the hearings are factual and fair. Following the proper procedure will also be the most expeditious way to determine what is in the public's best interest.

Substitute House Bill No. 743 has been one of the most heavily lobbied bills in the recent history of the legislature. This fact alone warrants that proper procedures be scrupulously followed. I am particularly concerned that one group of oil companies may be given a monopoly before technical studies are completed and adequate time is allowed for complete public disclosure of detailed plans. I am sure that all would agree that full disclosure through the careful process of the Siting Council is in the public interest. The practical effect of any final action on a major oil port is to grant an exclusive franchise, worth many millions of dollars, to the corporation finally certified. With the stakes so high, competitive applications should be considered with full public scrutiny.

Finally, I want to assure the legislature that I will take no action under the Energy Siting Act without consultation with its members. I earnestly solicit the legislature's continuing support of and participation in an orderly site selection process for an oil transshipment port. Only in this way will we best protect the environmental and economic interests of this state, and at the same time, serve vital national interests. A veto of this bill is not a rejection of the Port



Angeles site; rather, it is reaffirmation of established law and of the legislative purpose in creating the Energy Facility Site Evaluation Council whose duty is to conscientiously consider and examine all alternatives as to site location.

Respectfully submitted,  
Dixy Lee Ray, Governor.

June 1, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, Substitute House Bill No. 821 entitled:

"AN ACT Relating to sidewalks; amending section 1, chapter 83, Laws of 1973 and RCW 35.68.075; adding a new section to chapter 35.68 RCW; and declaring an emergency."

Section 3 of the bill declares an emergency and provides for the act to take effect immediately. Under the Constitution, Article II, Sections 1(b) and 41, the use of an emergency clause should be restricted to those instances where the use is clearly warranted due to the urgency of the situation.

In this case, not only is the use of the clause unwarranted by the urgency of the situation, but the use also eliminates the adjustment period that would be helpful for affected units of local government. For these reasons, I have vetoed this section.

With the exception of section 3, which I have vetoed, the remainder of Substitute House Bill No. 821 is approved.

Sincerely,  
Dixy Lee Ray, Governor.

July 15, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 912 entitled:

"AN ACT Relating to lost and unclaimed personal property;"

It is with some reluctance that I veto Substitute House Bill No. 912 for there is a need for improvement in the area of lost or unclaimed property. A careful review of the bill, however, causes me to question whether it merits the potential financial burden on the law enforcement agencies in the state. Further, I would hope additional interim study might produce legislation that would be less cumbersome, thus encouraging the surrender of lost or unclaimed property.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 912.

Respectfully submitted,  
Dixy Lee Ray, Governor.

June 30, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 928 entitled:

"AN ACT Relating to energy."

A careful review of Substitute House Bill No. 928, dealing with emergency energy powers, reveals that Section 10 makes many unsubstantive changes in Section 43.06.010 and RCW 43.06.010. The legislature has passed and I have already signed Substitute House Bill No. 564, the Washington Sunset Law which made similar unsubstantive changes but which added to existing laws certain required executive powers concerned with sunset legislation.

To allow Section 10 of this bill to become law would be duplication of earlier legislation and, in fact, might very well effect a portion of the sunset bill which I deem of prime importance within the executive powers of the Governor. For this reason, I have vetoed Section 10 of this bill.

With the exception of section 10, which I have vetoed, the remainder of Substitute House Bill No. 928 is approved.

Sincerely,  
Dixy Lee Ray, Governor.

July 15, 1977

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 1348 entitled:  
"AN ACT Relating to casualty insurance; and amending section 27, chapter 150, Laws of 1967 and RCW 48.22.030."

I am persuaded to veto Substitute House Bill No. 1348 if, for no other reason than the vigorous objection raised by the Office of the Insurance Commissioner. Although there may be desirable aspects in the bill, I am advised that the Commissioner's office can, by regulation, make improvements in the field.

In addition, some of the new language in the bill is difficult of interpretation and should be more clearly defined.

For the above reasons, I have determined to veto Substitute House Bill No. 1348.

Respectfully submitted,  
Dixy Lee Ray, Governor.

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	11	123	153	163, 495	495	690 Ch. 41
2. ....	11				86	
3. ....	11	698	764			
3. (Sub.) .....			764	906, 2204	2135,2151, 2162,2202	Ch. 366 Ex.
4. ....	11	332,420 748				
5. ....	11					
6. ....	11					
7. ....	11					
8. ....	11					
9. ....	11	112,123				
10. ....	12	469	808,817	1151		
11. ....	12				86	
12. ....	12	213	287	296	509	697 Ch. 45
13. ....	12	655	899			
13. (Sub.) .....			899,1085 1103	1248		
14. ....	12					
15. ....	12					
16. ....	12					
17. ....	12				902	
18. ....	12	123	154	166,554		
19. ....	12					
20. ....	13					
21. ....	13	855	992	992		
22. ....	13	123			127	

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
23.	13	179,213 408	463			
23. (Sub.)			464	464,554, 858	849, 857	954 Ch. 5 Ex.
24.	13	788,810 886	1105			
24. (2nd Sub.)			1105	1105	1595	1685 Ch. 105 Ex.
25.	13					
26.	13					
27.	13	875	992			
27. (Sub.)			992	993, 1438	1438	1595 Ch. 70 Ex.
28.	13					
29.	13					
30.	14	122	154			
30. (Sub)			154	165, 529	528	774 Ch. 72
31.	14					
32.	14	180	235	246,555		
33.	14					
34.	14	1002				
35.	14	241	339	410	524	735 Ch. 53
36.	14					
37.	14	886	1106- 1108	1859		
38.	14	180	338	338,555		
39.	14	950				
40.	15					
41.	15	180,213 420	465- 467	467, 556		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
42.	15	794	1142	1142		
43.	15	827	1193			
43. (Sub.)			1193	1194		
44.	15	180	249			
44. (Sub.)			249,266	296,556		
45.	15	97, 242	301	336	97, 495	643 Ch. 21
46.	15	242	319	392,556, 1736	1736	1974 Ch. 202 Ex.
47.	16	144	234	247,557		
48.	16	614				
49.	16	180	287	395, 557	1986	Ch. 350 Ex. PV
50.	17	377	426			
50. (Sub.)			426-428	634, 1867	1867	2053 Ch. 263 Ex.
51.	17	97	133			
51. (Sub.)			133	148,557		
52.	18					
53.	18					
54.	18	213,316, 473	681	754		
55.	18	84	112	127	30,487	643 Ch. 22
56.	18	181			184	
57.	18	124	168, 220-222	232, 525	520, 524	735 Ch. 54
58.	19	531	667	740	155	
59.	19	84	112-116, 129-133	147, 558		
60.	19					
61.	19					

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
62. ....	19	181	717			
63. ....	20	441,886	1112			
63. (2nd Sub.) .....			1112	1112		
64. ....	20	97	133	147,558		
65. ....	20					
66. ....	21	931,985				
67. ....	21	262,939	1031			
67. (Sub.) .....			1031	1032		
68. ....	21	144	286			
68. (Sub.) .....			286	296,558, 2000	1421,1503, 1879,1998	Ch. 351 Ex.
69. ....	21	124	169	215	490	643 Ch. 23
70. ....	21	377	435			
70. (Sub.) .....			435, 437	455,559, 1691	1686	1974 Ch. 195 Ex.
71. ....	22	262	338			
71. (Sub.) .....			338,421, 432,434	394,421, 461,559		
72. ....	22					
73. ....	22	243	410	431,559		
74. ....	22	931	1143			
74. (Sub.) .....			1143	1143		
75. ....	22					
76. ....	22	833	956			
76. (Sub.) .....			956	956		
77. ....	22					
78. ....	23					
79. ....	23	263	399			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
79. (Sub.)			399	431,560		
80.	23					
81.	23					
82.	23	283,316				
83.	23					
84.	23					
85.	23	84	116	128,560		
86.	23					
87.	23					
88.	24					
89.	24	214			250	
90.	24					
91.	24	97	148	164,560,	584	
92.	24	398,420 950	1177	1248	86	
93.	24	1056,1083				
94.	25					
95.	25	144	169	216	487	643 Ch. 24
96.	25					
97.	25	398	1089			
98.	25	181	250,268- 271	271,561; 1075	1074	1268 Ch. 14 Ex.
99.	25					
100.	25	124,144, 243	288			
100. (Sub.)			288	297,561		
101.	25	243	423			
101. (Sub.)			423-425, 679		455	

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
102.	25	263	320		30	
102. (Sub.)			320	382,561		
103.	28					
104.	28	98	148	163,562, 1436	1436	1595 Ch. 69 Ex.
105.	28	748	910			
105. (Sub.)			910	910	1975	2217 Ch. 296 Ex.
106.	28	144	222	233	487	643 Ch. 25
107.	28					
108.	29	263	338	393	509	643 Ch. 26
109.	29	145	224	233,564		
110.	29	263	389	412	509	643 Ch. 27
111.	29	145	222	232	509	643 Ch. 28
112.	29					
113.	29	748	911	911	1698	1974 Ch. 196 Ex.
114.	29					
115.	30	775	899	907		
116.	38	955	1156	1157		
117.	38				103	
118.	38					
119.	38					
120.	38	939	1111			
120. (Sub.)			1111	1111, 2049	1691 2049	Ch. 319 Ex.
121.	39					



HISTORY OF HOUSE BILLS

2351

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
122.	39	145	222	247	487	643 Ch. 29
123.	39	124	167			
123. (Sub.)			167-168	216,562		
124.	39					
125.	39	505	668			
125. (Sub.)			668	702	1606	1915 Ch. 186 Ex.
126.	39	316				
127.	39	441	668			
127. (Sub.)			668	700		
128.	40					
129.	40	284	320	382,563		
130.	40	181	300,319	381,563		
131.	40					
132.	40					
133.	40					
134.	40					
135.	40	243	300	383	224,554	
136.	40	181	235	248	495	643 Ch. 30
137.	41					
138.	41	469,749	900			
138. (Sub.)			900	997, 1976	1976	2218 Ch. 297 Ex.
139.	41	125	152	152	554	
140.	41					
141.	41	125	152	153	554	
142.	41					
143.	41	214	300	411,563		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
144.	41	125	153	153	554	
145.	55				676	
146.	56	214	299	334	509	697 Ch. 46
147.	56					
148.	56	263	321	396	495	690 Ch. 37
149.	56	846	1105			
149. (Sub.)			1105	1106		
150.	57	441	680	754, 1643	1642	1896 Ch. 177 Ex.
151.	57				103	
152.	57					
153.	57	442	592			
153. (Sub.)			592	618, 1607	1607	1915 Ch. 187 Ex.
154.	57					
155.	57	420				
156.	57					
157.	57					
158.	57					
159.	58					
160.	58	903				
161.	58	452	607			
161. (Sub.)			607- 609	636	1502	1685 Ch. 104 Ex.
162.	58	231,243, 723	1054		504, 507	
162. (2nd Sub.)			1054,1077- 1079			
163.	58	760	911			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
163. (Sub.)			911	911		
164.	58					
165.	58	442	590		80	
165. (Sub.)			590	604	1593	1734 Ch. 142 Ex.
166.	58					
167.	59	214	285	295	509	690 Ch. 38
168.	59					
169.	59		99		98	
169. (Sub.)			99- 102	102, 175	170- 174	176 Ch. 1
170.	59	263,292				
171.	59	544				
172.	59	125	149	149	479	523 Ch. 5
173.	59	125	149	149	479	523 Ch. 6
174.	59	125	150	150	479	523 Ch. 7
175.	60	125	150	150	479	523 Ch. 8
176.	60	126	151	151	479	523 Ch. 9
177.	60	126	151	151	479	523 Ch. 10
178.	60	126,724, 772	151	151		554
179.	60				322	
180.	60	126	154	166	495	690 Ch. 39
181.	60	182	249			

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
181. (Sub.)			249	265	524	735 Ch. 55
182.	60					
183.	60	408	435			
183. (Sub.)			435	456,564, 2007	1588,1671 1973,2000	2218 Ch. 309 Ex.
184.	61					
185.	61					
186.	61	243	391	414,564	526,537	
187.	61	736,789			86	
188.	61				250	
189.	61					
190.	61					
191.	62	126	154	165,564		
192.	62					
193.	62					
194.	62	214	285			
194. (Sub.)			285	333, 565	1862	2053 Ch. 241 Ex.
195.	62	284	337	394,565, 1868	1868	2053 Ch. 242 Ex.
196.	62	84	102			
196. (Sub.)			102	103	554	
197.	62					
198.	62	182, 214			902,943, 952	
199.	63	243	340	414, 565	1353	1481 Ch. 30 Ex.
200.	63	244	300			
200. (Sub.)			300	336	487	690 Ch. 40

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
201.	63					
202.	63					
203.	63					
204.	63	182	301			
204. (Sub.)			301,318	415,566		
205.	64					
206.	64	332,420				
207.	64					
208.	64	244	301	337,566	1734	1974 Ch. 203 Ex.
209.	64	126	169			
209. (Sub.)			169	245	524	735 Ch. 56
210.	64	442	790	791	103	
211.	64					
212.	64					
213.	64	214	435	456,566		
214.	69	292				
215.	69					
216.	69	126	153	164,526	526	774 Ch. 73
217.	69	145	224			
217. (Sub.)			224	234,566, 1942	1942	2218 Ch. 298 Ex.
218.	69	810				
219.	69	408	935			
219. (Sub.)			935	935		
220.	69					
221.	70					
222.	70					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
223.	70					
224.	70					
225.	70	264,333, 473	592			
225. (Sub.)			592, 610	659, 1869	1868	2053 Ch. 265 Ex.
226.	70	474,633	846,979			
226. (Sub.)			979, 982	1075, 1092	1075, 1092	
227.	70	145	223			
227. (Sub.)			223	266,567	289	
228.	71	931	1143			
228. (Sub.)			1143	1144	1634	1876 Ch. 167 Ex.
229.	71	231	299	337,567		
230.	71	231	321	384	527, 544	735 Ch. 57
231.	71					
232.	73					
233.	73					
234.	73					
235.	73	284	390	416,568		
236.	74	496	625	657,2078	2078	Ch. 320 Ex.
237.	74	126	168	217	524	735 Ch. 58
238.	74	614	667			
238. (Sub.)			667	690	1481	1595 Ch. 71 Ex.
239.	74					
240.	74	377	426	446,568, 689	529, 537,688	774 Ch. 2 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
241.	74					
242.	74	182	287	317,568		
243.	74					
244.	74					
245.	75	215	320	395	495	690 Ch. 42
246.	75					
247.	75					
248.	75					
249.	75	904	1121			
249. (Sub.)			1121	1121		
250.	75					
251.	75	264,292, 474	587			
251. (2nd Sub.)			587, 598	606, 2078	2077	Ch. 321 Ex.
252.	75	244,264 724	899			
252. (2nd Sub.)			899	995		
253.	75	967				
254.	75	921	1176			
254. (Sub.)			1176	1246		
255.	76	244	300			
255. (Sub.)			300	335,569, 2207	2206	Ch. 367 Ex.
256.	76				86	
257.	76	442	743			
257. (Sub.)			743-747, 755-759	777, 831	778, 792	
258.	76					
259.	76					

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g- Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
260.	76					
261.	77	449	626		534	
261. (Sub.)			626-628,638	657		
262.	77	127	169	218, 548	527,539, 547	774 Ch. 74
263.	77					
264.	77					
265.	77					
266.	77	244				
267.	78	760	911			
267. (Sub.)			912	912	1543	1685 Ch. 103 Ex.
268.	78					
269.	78					
270.	78					
271.	78	333, 847	432-434, 1090-1092	457, 1141, 2041	458, 2041	Vetoed
272.	78					
273.	78					
274.	79	145	222	246	509	690 Ch. 43
275.	79	182	285	335,569		
276.	79					
277.	79	127	167			
277. (Sub.)			167	216	488	690 Ch. 44
278.	79					
279.	79	215	285	411,569		



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
280.	79	215	390, 392	413, 570	428,538, 1915	2053 Ch. 275 Ex.
281.	81	633	681,706			
282.	81	127,387	447		298	
282. (2nd Sub.)			447,620-625	689	455, 690,705	
283.	81					
284.	81					
285.	82	231	298	334,570, 1869	1869	2053 Ch. 266 Ex.
286.	82	614	763	802 1692	1691	1974 Ch. 197 Ex.
287.	82	442	588, 589	603, 1348	1348	1481 Ch. 32 Ex.
288.	82	244	320			
288. (Sub.)			320	410,570		
289.	82					
290.	83					
291.	83	316	425			
291. (Sub.)			426	444	509	735 Ch. 50
292.	83	686	1186			
292. (Sub.)			1186, 1191	1192, 1984	1983	2218 Ch. 299 Ex.
293.	83	686	1187			
293. (Sub.)			1187, 1189	1189, 1984	1984	2218 Ch. 300 Ex.
294.	83	264	390			
294. (Sub.)			390	417, 571	1421	1525 Ch. 38 Ex.
295.	83					
296.	87	292,317				

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
297.	87					
298.	87	686	791	791	1543	1685 Ch. 102 Ex.
299.	87	442				
300.	87					
301.	87	443	592	605, 1884	1883	2053 Ch. 267 Ex.
302.	88					
303.	88					
304.	88					
305.	88	795	1254			
305. (Sub.)			1254	1254		
306.	88	388	432	458,571		
307.	89	333,420, 873,921	961		809	
307. (2nd Sub.)			961	961		
308.	89					
309.	89					
310.	89					
311.	89					
312.	89	789	937			
312. Sub.			937- 939	951, 2124	1183-1186, 2118,2120	Ch. 322 Ex.
313.	89	388	435	458,571	1595	1734 Ch. 143 Ex.
314.	90	488	625			
314. (Sub.)			625,639- 642	677, 1526	1526	1685 Ch. 101 Ex.
315.	90					
316.	90	887	1112	1112	1862	2053 Ch. 243 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
317.	90	967			540	
318.	90	429	589			
318. (Sub.)		1886	589, 2028	659	1721, 2079	
319.	90					
320.	90	887	957			
320. (Sub.)			957	957		
321.	90	264	392	418	524	735 Ch. 59
322.	90					
323.	91	244	318			
323. (Sub.)			318, 322	382,572, 1979	1976	2218 Ch. 301 Ex.
324.	91					
325.	91					
326.	91					
327.	91	760	936			
327. (Sub.)			936	936, 1528	1527	1685 Ch. 99 Ex.
328.	91					
329.	91					
330.	91	453				
331.	91					
332.	92					
333.	92	709				
334.	92	284,749	1051			
334. (2nd Sub.)			1051	1247		
335.	92	443	625	635	1435	1558 Ch. 41 Ex.
336.	92					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
337.	92					
338.	92	245	391	413, 572	1672	1896 Ch. 178 Ex.
339.	92					
340.	92	443	588			
340. (Sub.)			588	603	1685	1915 Ch. 188 Ex.
341.	92	1002				
342.	93				97	
343.	93					
344.	93	485	720-722, 743	782		
345.	93					
346.	93	420			611	
347.	93	1002	1144	1144		
348.	93	967	1198			
348. (Sub.)			1198	1199, 1887	1886	2053 Ch. 244 Ex.
349.	93	601,670				
350.	93				155	
351.	93	687	884			
351. (Sub.)			884	1041		
352.	94					
353.	94	724	807			
353. (Sub.)			808	880, 2011	1588, 1671,1917, 2007	2218 Ch. 302 Ex.
354.	94					
355.	95	531	681, 719	751, 1881	1880	2053 Ch. 268 Ex.
356.	95	601	731	740		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
357.	95	398	467-469, 593	605		
358.	95	292	432	458,572		
359.	95					
360.	95	1056				
361.	95					
362.	95					
363.	95	1056				
364.	96					
365.	96	986	1191	1191		
366.	96	1057				
367.	96	1061	1265			
368.	104					
369.	104					
370.	104					
371.	105	443	609			
371. (Sub.)		698,873, 921	609, 961		619, 809	
371. (3rd Sub.)			962- 964	971, 1965	1942	2151 Ch. 291 Ex.
372.	105					
373.	105					
374.	105					
375.	106					
376.	106	292	390	421,573 1527	1527	1685 Ch. 100 Ex.
377.	106					
378.	106					
379.	106					
380.	106					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.:
381.	106					
382.	106	827	957	957	1672	1896 Ch. 179 Ex.
383.	106					
384.	106	245	431			
384. (Sub.)			432	459,573, 1866	1865	2053 Ch. 245 Ex.
385.	107	146,182, 264	391			
385. (Sub.)			391	414	509	735 Ch. 60
386.	107	182	391	422, 531	530	735 Ch. 61
387.	107	1057	1144			
387. (Sub.)			1144	1144	1672	1896 Ch. 180 Ex.
388.	107	1057, 1562	2055			
388. (2nd Sub.)			2055	2056	2134	Ch. 364 Ex.
389.	107	761	912	912	1634	1876 Ch. 168 Ex.
390.	107	183	285	317,573		
391.	107	388	434		224	
391. (Sub.)		709	434,462, 764	803, 2047	2046	Vetoed
392.	107					
393.	107	453	791			
393. (Sub.)			791	792, 1882	1882	2053 Ch. 246 Ex.
394.	107	615	731			
394. (Sub.)			731			
395.	107	479	679			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
395. (Sub.)			679	879	1595	1734 Ch. 144 Ex.
396.	108	264	390			
396. (Sub.)			390	418,574		
397.	108	388	465	465,574		
398.	108					
399.	108	709	898			
400.	108	749, 1002	1260	1261		
401.	108					
402.	108	687	792			
402. (Sub.)			792	792	1862	2053 Ch. 247 Ex.
403.	108					
404.	108					
405.	109					
406.	109	505				
407.	109	245	425	446,574		
408.	109					
409.	109	232	423	444,575		
410.	109					
411.	110				611,952	
412.	110					
413.	110	245	321	412,575		
414.	110	232	321	384, 575	1862	2053 Ch. 248 Ex.
415.	110					
416.	110					
417.	110	986	1173	1173, 1692	992,999, 1692	1974 Ch. 198 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
418.	110					
419.	110					
420.	111					
421.	111					
422.	111					
423.	111					
424.	118	698	898,899 902	998	722, 1421	1558 Ch. 40 Ex.
425.	118					
426.	118				122	
427.	118	265	340			
427. (Sub.)			340	415	488	735 Ch. 51
428.	119					
429.	119	687	785-787, 818	892		
430.	119					
431.	119					
432.	119					
433.	119					
434.	119					
435.	119					
436.	119	855				
437.	120				122	
438.	120	699	898, 901	907	1672	1896 Ch. 181 Ex.
439.	120					
440.	120	615	796			
440. (Sub.)			796	801	1543	1685 Ch. 98 Ex.



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amendments	3rd R'd'g Final Passage	Other Action	Action by Gov.
441.	120					
442.	120					
443.	120	615	766-772, 784		155,341, 417,493	
444.	120	388	434	459, 576	1592	1734 Ch. 145 Ex.
445.	120	284	390, 392	416,576, 1437	1436	1595 Ch. 72 Ex.
446.	121	749	1250			
446. (Sub.)			1250	1251, 2140	1613,1706, 2135, 2139	Ch. 370 Ex.
447.	121	876	1187	1187, 1189	1188,1189, 1766	1975 Ch. 204 Ex.
448.	121	887	1032	1032, 1907	1907	2053 Ch. 261 Ex.
449.	121	469,749	885			
449. (2nd Sub.)			885,894- 895,897	996, 1980	1979	2077 Ch. 288 Ex.
450.	135					
451.	135	761	1052			
451. (Sub.)			1052, 1086	1150		
452.	135					
453.	135	904	958			
453. (Sub.)			958			
454.	136					
455.	136					
456.	136					
457.	136				144	
458.	136					
459.	136	398	592	638, 1699	1699	1975 Ch. 199 Ex.

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
460.	137					
461.	137					
462.	137					
463.	137					
464.	137	655	732			
464. (Sub.)			732	752		
465.	137					
466.	138					
467.	138	750				
468.	138					
469.	138					
470.	138	724	797			
470. (Sub.)			797	797, 1643	1643	1915 Ch. 189 Ex.
471.	138					
472.	138	904	1104			
472. (Sub.)			1105	1243, 1608	1607	1876 Ch. 169 Ex.
473.	139					
474.	139	750	1032	1033, 1735	1735	1975 Ch. 205 Ex.
475.	139					
476.	140					
477.	140	968	1033	1033		
478.	140					
479.	140					
480.	140	736,1095	1261			
480. (Sub.)			1261,1262	1263		
481.	140					

HISTORY OF HOUSE BILLS

2369

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
482.	140	968				
483.	140					
484.	140	388	425	460,576		
485.	140				696	
486.	141					
487.	141					
488.	141	699				
489.	141					
490.	141					
491.	141	453				
492.	141					
493.	141					
494.	142	986				
495.	142	398	797	797, 1437	1437	1595 Ch. 73 Ex.
496.	142					
497.	142					
498.	142	968				
499.	142					
500.	142	388	464	464,576		
501.	142	389				
502.	143	670	798			
502. (Sub.)			798	798		
503.	143	389	434	462, 577	1609, 1707	
504.	143					
505.	157					
506.	157	453	664	693	1286	1481 Ch. 31 Ex.

HISTORY OF HOUSE BILLS

NO,	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
507.	157					
508.	157	827	1199			
508. (Sub.)			1199	1199, 1870	1870	2053 Ch. 249 Ex.
509.	158					
510.	158					
511.	158					
512.	158	811	958			
512. (Sub.)			958	958	1876	2054 Ch. 269 Ex.
513.	158					
514.	158	887				
515.	158	876	959	959		
516.	158	904				
517.	158					
518.	159					
519.	159	687,724, 1180				
520.	159	687	818			
520. (Sub.)			818-819, 841-843	893		
521.	159					
522.	159	968	1539			
522. (Sub.)			1539	1540		
523.	159					
524.	159					
525.	159					
526.	159					
527.	160					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
528.	160					
529.	160					
530.	160					
531.	160	539	667			
531. (Sub.)			667	691	1862	2054 Ch. 270 Ex.
532.	160	968,986				
533.	160				224	
534.	161	775	1188			
534. (Sub.)			1188,1251	1252		
535.	161					
536.	161	887				
537.	161					
538.	161	772	900			
538. (Sub.)			900	908		
539.	161					
540.	161					
541.	161	469	594	616		
542.	161					
543.	162	789	933	933		
544.	162					
545.	162					
546.	162	789	936			
546. (Sub.)			936	936		
547.	176					
548.	177					
549.	177					
550.	177	888	1256			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
550. (Sub.)			1256	1257		
551.	177					
552.	177					
553.	177	776	946	947, 1455	1454	1595 Ch. 74 Ex.
554.	177					
555.	177					
556.	177					
557.	177				224	
558.	177	1003				
559.	178	430	591	656, 1645	1644	Ch. 190 Ex. PV
560.	178					
561.	178					
562.	178					
563.	178	1061	1154			
563. (Sub.)			1154- 1155	1156, 1347	1343- 1347	1481 Ch. 33 Ex.
564.	178	1940	1940			
564. (Sub.)			1940	1941	1976	2077 Ch. 289 Ex.
565.	178					
566.	178					
567.	179					
568.	179					
569.	179					
570.	179					
571.	202					
572.	203	453	592			

HISTORY OF HOUSE BILLS

2373

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amendments	3rd R'd'g Final Passage	Other Action	Action by Gov.
572. (Sub.)			593	635	1862	2054 Ch. 250 Ex.
573.	203	408	463	463, 577	1124	1282 Ch. 23 Ex.
574.	203	532	665			
574. (Sub.)			665	692		
575.	203					
576.	203					
577.	203					
578.	203					
579.	204					
580.	204	602	734	782	1421	1558 Ch. 42 Ex.
581.	204	443	664			
581. (Sub.)			664	693, 2014	2014	Ch. 352 Ex.
582.	204	888	959	959, 1462	1455	1595 Ch. 75 Ex.
583.	204	709	798	798	1634	1876 Ch. 170 Ex.
584.	204	709	807,893, 896	893,897, 1899	894,1870, 1898	2054 Ch. 276 Ex.
585.	204	292	389	412	495	735 Ch. 52
586.	204					
587.	204					
588.	204	398	665	780,831	782	
589.	205					
590.	205					
591.	205					
592.	205					
593.	205	602	762		250	

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
593. (Sub.)			762,898	995		
594.	205					
595.	205	532	625	678		
596.	205					
597.	205				384	
598.	206	399				
599.	206					
600.	206					
601.	206	633	682			
601. (Sub.)			682, 720	739, 1476	1475	1595 Ch. 76 Ex.
602.	206	772,874	1109			
602. (2nd Sub.)			1109			
603.	206					
604.	207	699	1170			
604. (Sub.)			1170	1249, 2208	2207	Ch. 323 Ex.
605.	207	671			696	
606.	208					
607.	208					
608.	208					
609.	208					
610.	208					
611.	208					
612.	208	761	912	913		
613.	208	389	434	460, 577	1286	1481 Ch. 29 Ex.
614.	209	1003	1157			



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
614. (Sub.)			1157,1171, 1175	1176		
615.	209	969	1158			
615. (Sub.)			1158- 1160	1160,1177, 1765	1161, 1761	Ch. 206 Ex.
616.	211				235	
617.	211	443	680	780	1634	1876 Ch. 171 Ex.
618.	211	453	589, 607	783	1634	1876 Ch. 172 Ex.
619.	211	736	913			
619. (Sub.)			913	913, 1768	1766	2054 Ch. 251 Ex.
620.	211	737	913			
620. (Sub.)			913	914		
621.	211					
622.	211	474	799			
622. (Sub.)			799	799		
623.	212	430, 2055	667,2055, 2061,2213	692, 2214	1740, 2075	Ch. 368 Ex.
624.	212					
625.	212	940	1152			
625. (Sub.)			1152	1153, 1737	1736	1975 Ch. 207 Ex.
626.	212					
627.	212	847	959	960, 1737	1737	1975 Ch. 208 Ex.
628.	212					
629.	212					
630.	212					
631.	226	1520				
632.	226					

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
633.	227					
634.	227	950	1145			
634. (Sub.)			1145	1145		
635.	227	389	435	461,578		
636.	227					
637.	228					
638.	228					
639.	228					
640.	228					
641.	228					
642.	228	724	799	799	1698	1975 Ch. 200 Ex.
643.	228	615	734			
643. (Sub.)			734	739, 1885	1884	2054 Ch. 271 Ex.
644.	228					
645.	228					
646.	228	470	765	803,819	804,819	
647.	229					
648.	229					
649.	229	888	1033	1033,1693 1987	1693,1697, 1931, 1986	2218 Ch. 310 Ex.
650.	229					
651.	229					
652.	229					
653.	229	904	1034	1034	1876	2054 Ch. 252 Ex.
654.	229					
655.	229					

HISTORY OF HOUSE BILLS

2377

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
656.	230	789	900			
656. (Sub.)			901	914, 1932	1694,1900, 1931	2218 Ch. 303 Ex.
657.	230	655	733	739, 1423	1422	1525 Ch. 34 Ex.
658.	230					
659.	237					
660.	237	408	595			
660. (Sub.)			595- 597	604, 2057	1710, 2056	Ch. 373 Ex.
661.	237	389	435	461,578		
662.	237	699	784			
662. (Sub.)			784	891, 1609	1876 1608	Ch. 173 Ex.
663.	237					
664.	237	876	1113	1113		
665.	237					
666.	237					
667.	238	888,931				
668.	238					
669.	238					
670.	238	430	799	800		
671.	238	955	1157	1157		
672.	238	671	765	802		
673.	238	761	1051			
673. (Sub.)			1052	1150		
674.	238	827	1263			
674. (Sub.)			1263, 1264	1265, 1966	1966	2218 Ch. 304 Ex.

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
675. ....	239	827	945			
675. (Sub.) .....			945	945	1543	1685 Ch. 97 Ex.
676. ....	239					
677. ....	239					
678. ....	239	505,634, 811	937			
678. (Sub.) .....			937	937	1634	1876 Ch. 174 Ex.
679. ....	239					
680. ....	239					
681. ....	239	904	1172			
681. (Sub.) .....			1172, 1174	1174		
682. ....	240					
683. ....	240	1057	1145	1145	1502	1685 Ch. 96 Ex.
684. ....	252	1059	1265			
684. (Sub.) .....			1265	1265		
685. ....	252	1061	1202			
685. (Sub.) .....			1202	1203		
686. ....	252	876				
687. ....	252	888				
688. ....	252	789,1057				
689. ....	252				322	
690. ....	252				262	
691. ....	253	634	763	879, 1528	1528	1685 Ch. 95 Ex.
692. ....	253	1520				
693. ....	253					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
694. ....	253	828	960	960	1606	1915 Ch. 191 Ex.
695. ....	253	969				
696. ....	254					
697. ....	254	986,1095	1260			
697. (Sub.) .....			1260	1260, 1972	1612,1699, 1972	2218 Ch. 305 Ex.
698. ....	254					
699. ....	254					
700. ....	254					
701. ....	254					
702. ....	254					
703. ....	254	615	785	1041	1862	2054 Ch. 253 Ex.
704. ....	255	905	1034	1034		
705. ....	255					
706. ....	255					
707. ....	255	671	733			
707. (Sub.) .....			733	738		
708. ....	255	828	1203	1203		
709. ....	255	986	1146	1146		
710. ....	255	847	1034			
710. (Sub.) .....			1035	1035		
711. ....	255	1003	1249			
711. (Sub.) .....			1249			
712. ....	256	969				
713. ....	256					
714. ....	256					
715. ....	258	750				

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
716. ....	258	479	589	636		
717. ....	258					
718. ....	258	655	763			
718. (Sub.) .....			763	801		
719. ....	260					
720. ....	260					
721. ....	260					
722. ....	260					
723. ....	260					
724. ....	261					
725. ....	274					
726. ....	274	940	960			
726. (Sub.) .....			960	960		
727. ....	274	615	681,718	752,2206	2206	Ch. 369 Ex.
728. ....	274	737	944			
728. (Sub.) .....			944	945		
729. ....	275					
730. ....	275					
731. ....	275					
732. ....	275	940	1035			
732. (Sub.) .....			1035			
733. ....	275	616	764	1042	1862	<sup>2054</sup> Ch. 254 Ex.
734. ....	275					
735. ....	275	950	982		885	
735. (Sub.) .....			982	982		
736. ....	275					
737. ....	275	833	1035			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
737. (Sub.)			1036	1036	1862	2054 Ch. 255 Ex.
738.	275					
739.	276					
740.	276					
741.	276	922	1113			
741. (Sub.)			1113	1113, 1739	1738	1975 Ch. 209 Ex.
742.	276					
743.	276	1562	1695		1106	
743. (Sub.)			1695- 1697	1697, 1909	1908	Vetoed
744.	276	1003			1524	
745.	276					
746.	276	750	1121	1121		
747.	276					
748.	276					
749.	277					
750.	277					
751.	277					
752.	277					
753.	277	795	1036	1036	1595	1734 Ch. 146 Ex.
754.	277					
755.	277	616	734	783	1353	1481 Ch. 27 Ex.
756.	277					
757.	278					
758.	278	828	973	973		
759.	278					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
760.	278					
761.	278					
762.	278					
763.	278					
764.	278	987				
765.	278					
766.	278	480,874	1086			
766. (2nd Sub.)			1087- 1089	1141		
767.	279					
768.	279	969	1173	1173, 1700	1700	1975 Ch. 201 Ex.
769.	279					
770.	279					
771.	279					
772.	279					
773.	279	1003	1190			
773. (Sub.)			1191,1198	1198		
774.	279					
775.	280					
776.	280					
777.	280	724,834	900			
777. (Sub.)			900,934, 947-948	993	2307	
778.	280	1288	1456	1456	1862	2054 Ch. 256 Ex.
779.	280	488	667	781	1634, 1876	Ch. 176 Ex.
780.	280	987				
781.	280					



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
782.	280					
783.	281					
784.	281	905				
785.	281					
786.	281					
787.	281	811	1156	1156		
788.	281					
789.	281					
790.	282	1003				
791.	282					
792.	282					
793.	290	430	594	675-677		
794.	290					
795.	291					
796.	291					
797.	303	602	668	691	1579	1723 Ch. 138 Ex.
798.	303	847	1050			
798. (Sub.)			1050	1141, 1645	1645	1915 Ch. 192 Ex.
799.	303					
800.	303	776	1266			
800. (Sub.)			1266	1266		
801.	303					
802.	304					
803.	304					
804.	304					
805.	304					
806.	304					

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
807.	304					
808.	304	987				
809.	304					
810.	304					
811.	304					
812.	305	671	1108	1108	493	
813.	305					
814.	305					
815.	305					
816.	305	554	667	701	1406	1525 Ch. 37 Ex.
817.	305					
818.	305					
819.	305	655	800	800		
820.	305	828	1165,1258			
820. (Sub.)			1258	1259		
821.	306	987	1251			
821. (Sub.)			1251, 1257	1258	1579	Ch. 137 Ex. PV
822.	306					
823.	306					
824.	306	940				
825.	306	847	1037	1037	1862	2054 Ch. 257 Ex.
826.	306					
827.	306					
828.	306	776	946	946	1606	1915 Ch. 194 Ex.
829.	306					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
830.	306					
831.	306					
832.	307					
833.	324					
834.	324					
835.	325					
836.	325					
837.	325	795,1095	1201			
837. (Sub.)			1201	1201, 1967	1967	2218 Ch. 306 Ex.
838.	325	776	1037	1037		
839.	325	671	733			
839. (Sub.)			733	781	1435	1525 Ch. 35 Ex.
840.	325	454				
841.	325	454				
842.	325	855	973	973	1606	1915 Ch. 193 Ex.
843.	326					
844.	326					
845.	326					
846.	326				493	
847.	326					
848.	326	828	1174	1174		
849.	326				332	
850.	326					
851.	326					
852.	327	480	625	658, 674	1268	1481 Ch. 28 Ex.
853.	327	969,1634			1635	

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
854. ....	327	848	1188			
854. (Sub.) .....			1188	1188		
855. ....	327					
856. ....	327					
857. ....	327	1004	1261			
857. (Sub.) .....			1261	1261		
858. ....	327					
859. ....	327					
860. ....	327					
861. ....	327	1061	1478			
861. (Sub.) .....			1478, 1479	1479		
862. ....	328					
863. ....	328					
864. ....	328					
865. ....	328	761	979			
865. (Sub.) .....			979	980, 2088	1724,2081, 2082	2151 Ch. 295 Ex.
866. ....	328	761	980			
866. (Sub.) .....			980	980, 2094	1700,2081, 2089	2151 Ch. 293 Ex.
867. ....	328	951	981			
867. (Sub.) .....			981	981, 2103	1768,2082, 2094	2151 Ch. 294 Ex.
868. ....	328					
869. ....	329					
870. ....	329					
871. ....	329					
872. ....	329	602				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
873.	329	688	897			
873. (Sub.)			897	908	1595	1734 Ch. 147 Ex.
874.	329	444,587, 874,922	964		409, 809	
874. (2nd Sub.)			964	964, 1969	1613, 1968	2218 Ch. 307 Ex.
875.	329				668	
876.	330					
877.	330	876	1038	1038		
878.	330	828	1113	1114	1435	1525 Ch. 36 Ex.
879.	330	554	681	701	1435	1525 Ch. 39 Ex.
880.	330	762	884			
880. (Sub.)			884	892, 1889	1889	2054 Ch. 272 Ex.
881.	330					
882.	330					
883.	331	602				
884.	331					
885.	342					
886.	343					
887.	343					
888.	343					
889.	343				409	
890.	343	634	764			
890. (Sub.)			764	997		
891.	343					
892.	343					
893.	344					

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
894.	344				668	
895.	344					
896.	344					
897.	344				737	
898.	344	969,987			375	
899.	345					
900.	345					
901.	345	750				
902.	345					
903.	345					
904.	345					
905.	345					
906.	346	737				
907.	346					
908.	346	940	1038			
908. (Sub.)			1038	1038		
909.	346				773	
910.	346					
911.	346					
912.	346	987	1114		375	
912. (Sub.)			1114	1114, 2137	2137	Vetoed
913.	346					
914.	347					
915.	347					
916.	347	1058				
917.	347	795	978	978		
918.	347	888				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
919.	347					
920.	347					
921.	347	790	899	899	1595	1734 Ch. 148 Ex.
922.	347	888	974	974		
923.	348					
924.	348					
925.	348					
926.	348					
927.	348	750	884	908	1543	1685 Ch. 94 Ex.
928.	348	699	732			
928. (Sub.)			732	732, 1990	1043, 1973,1987	Ch. 328 Ex. PV
929.	348					
930.	348					
931.	349					
932.	349					
933.	349	725	808	891	1876	2054 Ch. 258 Ex.
934.	349					
935.	349				611	
936.	349	943	1146			
936. (Sub.)			1146	1146	2023	Ch. 353 Ex.
937.	349					
938.	349					
939.	350					
940.	350					
941.	350					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
942. ....	350					
943. ....	350					
944. ....	350					
945. ....	350	987				
946. ....	351					
947. ....	351	940			873	
948. ....	351					
949. ....	351					
950. ....	351					
951. ....	351					
952. ....	351	970	1147			
952. (Sub.)			1147	1147, 1981	1980	Ch. 355 Ex.
953. ....	352					
954. ....	352					
955. ....	352					
956. ....	352					
957. ....	352					
958. ....	352					
959. ....	352					
960. ....	352	737,811	849			
960. (Sub.)			849-853, 858-873, 878	890, 891, 2160	890,1104, 1124,1132- 1140,2149, 2152	Ch. 359 Ex.
961. ....	352					
962. ....	353					
963. ....	353					
964. ....	353				1970	
965. ....	353					



HISTORY OF HOUSE BILLS

2391

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
966.	353					
967.	353					
968.	353					
969.	353					
970.	353					
971.	353					
972.	353					
973.	353					
974.	353					
975.	353					
976.	354					
977.	354					
978.	354					
979.	354					
980.	354	1635	2141		1604	
980. (Sub.)			2141	2144	2151	Ch. 360 Ex.
981.	354					
982.	354					
983.	354					
984.	354					
985.	354					
986.	354					
987.	354	634				
988.	354					
989.	355					
990.	355					
991.	355					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
992. ....	355					
993. ....	355					
994. ....	355					
995. ....	355					
996. ....	355					
997. ....	355					
998. ....	355					
999. ....	355					
1000. ....	355					
1001. ....	355					
1002. ....	355					
1003. ....	356					
1004. ....	356					
1005. ....	356					
1006. ....	356					
1007. ....	356					
1008. ....	356	772				
1009. ....	356	1272,1353	1433			
1009. (Sub.)			1433	1433,1445, 2205	1434, 2204	Ch. 324 Ex.
1010. ....	356					
1011. ....	356					
1012. ....	356					
1013. ....	356					
1014. ....	356					
1015. ....	356					
1016. ....	356					
1017. ....	357					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1018.	357					
1019.	357					
1020.	357					
1021.	357	830,876	1038			
1021. (Sub.)			1039	1039		
1022.	357					
1023.	357	1083				
1024.	357					
1025.	357	790				
1026.	357					
1027.	357					
1028.	357					
1029.	357					
1030.	358					
1031.	358					
1032.	358					
1033.	358	671	785		478	
1033. (Sub.)			785	804		
1034.	358					
1035.	358					
1036.	358					
1037.	358					
1038.	358					
1039.	358					
1040.	358					
1041.	358					
1042.	358					
1043.	358					

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1044. ....	359					
1045. ....	359					
1046. ....	359					
1047. ....	359					
1048. ....	359					
1049. ....	359					
1050. ....	359					
1051. ....	359					
1052. ....	359					
1053. ....	359					
1054. ....	359	790				
1055. ....	359					
1056. ....	359					
1057. ....	359					
1058. ....	360					
1059. ....	360					
1060. ....	360					
1061. ....	360					
1062. ....	360					
1063. ....	360					
1064. ....	360					
1065. ....	360					
1066. ....	360					
1067. ....	360					
1068. ....	360					
1069. ....	360					
1070. ....	360					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1071.	360					
1072.	361	889				
1073.	361					
1074.	361					
1075.	361					
1076.	361					
1077.	361					
1078.	361					
1079.	361					
1080.	361					
1081.	361	497				
1082.	361					
1083.	361					
1084.	361					
1085.	361					
1086.	362		2130- 2133	2133	2130, 2139	Ch. 325 Ex.
1087.	362	988				
1088.	362					
1089.	362					
1090.	362					
1091.	362					
1092.	362	790				
1093.	362					
1094.	362					
1095.	362					
1096.	362					
1097.	362					

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend-ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1098.	362					
1099.	362					
1100.	363					
1101.	363					
1102.	363	737				
1103.	363					
1104.	363					
1105.	363	1388,1453				
1106.	363	1562,1635				
1107.	363					
1108.	363					
1109.	363					
1110.	363					
1111.	363					
1112.	363					
1113.	363					
1114.	364					
1115.	364					
1116.	364	430				
1117.	364	480				
1118.	364					
1119.	364					
1120.	364	454,532	820			
					841,2015	
1120. (Sub.)			820-825, 843-844	909, 2066	2048, 2065	Ch. 357 Ex.
1121.	364					
1122.	364					
1123.	364	454,889				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1124.	364					
1125.	364					
1126.	364					
1127.	364	796				
1128.	365					
1129.	365					
1130.	365					
1131.	365	737	808			
1131. (Sub.)			808	995		
1132.	365	796	974			
1132. (Sub.)			974	974, 2046	2044	Ch. 356 Ex.
1133.	365	1004	1199	1200, 2071-2072	1646-1657, 1707,1898, 2070	Ch. 326 Ex.
1134.	365					
1135.	365	931				
1136.	366					
1137.	366					
1138.	366					
1139.	366					
1140.	366					
1141.	366	738	1081			
1141. (Sub.)			1081			
1142.	366	1004	1204			
1142. (Sub.)			1204	1204, 1882	1882	2054 Ch. 259 Ex.
1143.	366					
1144.	366	1520				

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1145.	367	905	975		409	
1145. (Sub.)			975	975		
1146.	367	725	800		396	
1146. (Sub.)			800	800		
1147.	367	970,1095	1259			
1147. (2nd Sub.)			1259	1260		
1148.	368					
1149.	368					
1150.	368					
1151.	368	796				
1152.	368					
1153.	368	656	900	998, 1883	534, 1883	2054 Ch. 273. Ex.
1154.	368					
1155.	369					
1156.	369	1004				
1157.	369					
1158.	369					
1159.	369					
1160.	369					
1161.	369					
1162.	369	905			905	
1163.	370				534	
1164.	370	1004	1200	1200		
1165.	370					
1166.	370	970				
1167.	370					
1168.	370					



HISTORY OF HOUSE BILLS

2399

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1169.	370	672	806	1042		
1170.	370	656				
1171.	371					
1172.	371	988				
1173.	371					
1174.	371					
1175.	371	830				
1176.	371	1083	1539	1539		
1177.	371					
1178.	371					
1179.	371					
1180.	372					
1181.	372					
1182.	372					
1183.	372	725				
1184.	372	776,922	1052			
1184. (Sub.)			1052	1053, 1968	1967	2218 Ch. 308 Ex.
1185.	372					
1186.	372					
1187.	373					
1188.	373	777,1777, 1942,2020	2020			
1188. (3rd Sub.)			2020,2027	2027	2106	Ch. 327 Ex.
1189.	373	970	1192			
1189. (Sub.)			1192	1193, 1888	1887	2054 Ch. 260 Ex.
1190.	373	970	1114			
1190. (Sub.)			1114	1115		

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1191.	373	855, 1058	1195- 1198	1349	375, 885	
1192.	373					
1193.	373					
1194.	373	830	1110			
1194. (Sub.)			1110	1110		
1195.	378					
1196.	378					
1197.	379					
1198.	379				450	
1199.	379					
1200.	379					
1201.	379					
1202.	379					
1203.	379	738,834, 855	1150		841	
1203. (Sub.)			1150	1244	2214	
1204.	379					
1205.	379					
1206.	379					
1207.	379					
1208.	379					
1209.	379					
1210.	379	1288	1538	1538		
1211.	380					
1212.	380					
1213.	380	848	1122			
1213. (Sub.)			1122	1122, 1866	1866	2054 Ch. 274 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1214. ....	380					
1215. ....	380					
1216. ....	380					
1217. ....	380					
1218. ....	385					
1219. ....	385					
1220. ....	385					
1221. ....	385	1288	1457	1457		
1222. ....	385					
1223. ....	385					
1224. ....	385					
1225. ....	385					
1226. ....	586					
1227. ....	587	1005	1115	1115		
1228. ....	587					
1229. ....	587	750	945	945	1595	1876 Ch. 175 Ex.
1230. ....	601	943			873	
1231. ....	601					
1232. ....	612	848	1108	1244, 1895	1895	2054 Ch. 264 Ex.
1233. ....	612					
1234. ....	612	848	1115		668	
1234. (Sub.)			1115	1116		
1235. ....	612					
1236. ....	613					
1237. ....	613					
1238. ....	613					
1239. ....	613					

## HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1240.	613					
1241.	613					
1242.	613					
1243.	613					
1244.	613					
1245.	614					
1246.	614					
1247.	630					
1248.	630					
1249.	630					
1250.	630					
1251.	630	1005				
1252.	630	725,855	1051	1350		
1253.	630					
1254.	631	970	1190			
1254. (Sub.)			1190	1266		
1255.	631	1058	1254			
1256.	631					
1257.	631	955			1055	
1258.	631	796	975			
1258. (Sub.)			975	975		
1259.	631					
1260.	631	1005	1256	1256	1672	1896 Ch. 182 Ex.
1261.	632					
1262.	632	1005	1147	1147	1672	1896 Ch. 183 Ex.
1263.	632	762	1039	1039	1672	1896 Ch. 184 Ex.

HISTORY OF HOUSE BILLS

2403

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
						2054
1264.	632	889	975	976	1897	Ch. 262 Ex.
1265.	632	1084	1457			
1265. (Sub.)			1457	1458, 2020	2016	Ch. 354 Ex.
1266.	632	811	1040			
1266. (Sub.)			1040	1040	1672	1896 Ch. 185 Ex.
1267.	632	856	1040	1040		
1268.	632	955				
1269.	633	988	1148	1148		
1270.	644					
1271.	644					
1272.	644	1005			696	
1273.	644					
1274.	644					
1275.	644					
1276.	644					
1277.	644	834,889	1150			
1277. (Sub.)			1150	1246	1907	
1278.	645	988	1116			
1278. (Sub.)			1116	1116		
1279.	645					
1280.	645					
1281.	645					
1282.	645					
1283.	645					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1284.	645	905	976	976, 2136	1658, 1982,2130, 2136	Ch. 365 Ex.
1285.	645	1005				
1286.	645					
1287.	646					
1288.	646					
1289.	646					
1290.	646					
1291.	646	1006	1148	1149		
1292.	646					
1293.	646	796	1188	1189		
1294.	646					
1295.	646					
1296.	647				734	
1297.	647					
1298.	647					
1299.	647					
1300.	647					
1301.	647					
1302.	647					
1303.	647					
1304.	647	889				
1305.	647					
1306.	648	1006	1165,1664			
1306. (2nd Sub.)			1665- 1667	1667, 2030	1982, 2030	Ch. 318 Ex.
1307.	648	1407				
1308.	648					

HISTORY OF HOUSE BILLS

2405

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1309.	648				668	
1310.	648	1006	1263			
1310. (Sub.)			1263	1264, 2067	2016,2050, 2066	Ch. 358 Ex.
1311.	648				722	
1312.	648					
1313.	648				668	
1314.	649					
1315.	649	943			696	
1316.	649					
1317.	649					
1318.	649				655	
1319.	649					
1320.	649					
1321.	649	1006	1165,1667			
1321. (Sub.)			1667	1668		
1322.	649	1006,1180	1668			
1322. (2nd Sub.)			1668	1668		
1323.	650	922	1117		668	
1323. (Sub.)			1117	1117		
1324.	650					
1325.	650					
1326.	650					
1327.	650	1061	1478		1123	
1327. (Sub.)			1478		1664	
1328.	650					
1329.	650					
1330.	650					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1331.	650					
1332.	650					
1333.	651					
1334.	651					
1335.	651					
1336.	651					
1337.	651	988			668	
1338.	651					
1339.	651					
1340.	651					
1341.	651					
1342.	651					
1343.	652	848	1052			
1343. (Sub.)			1052	1052		
1344.	652					
1345.	652					
1346.	652					
1347.	652					
1348.	652	971	1201			
1348. (Sub.)			1201	1201, 2107	1705,1986, 2079,2107	Vetoed
1349.	652					
1350.	652	1453				
1351.	652	751,790, 889				
1352.	653					
1353.	653					
1354.	653					
1355.	653					



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1356.	653					
1357.	653					
1358.	653					
1359.	653					
1350.	654					
1361.	654	1007			984	
1362.	654					
1363.	654					
1364.	660					
1365.	660					
1366.	660					
1367.	660					
1368.	660					
1369.	660					
1370.	660					
1371.	660					
1372.	660					
1373.	661					
1374.	661					
1375.	661					
1376.	661					
1377.	661					
1378.	661					
1379.	661					
1380.	661					
1381.	661					
1382.	661					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1383.	661					
1384.	661					
1385.	661					
1386.	661					
1387.	662					
1388.	662					
1389.	662					
1390.	662					
1391.	662					
1392.	662					
1393.	662					
1394.	662					
1395.	662					
1396.	662					
1397.	662					
1398.	662					
1399.	662					
1400.	662					
1401.	663					
1402.	663					
1403.	663					
1404.	663					
1405.	663					
1406.	663	2074			1928	
1407.	663					
1408.	663					
1409.	663					
1410.	663					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1411.	663					
1412.	663					
1413.	663					
1414.	663	669				
1415.	664					
1416.	664					
1417.	664					
1418.	668					
1419.	668					
1420.	668					

## HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	30	85	116	128,496	496	
2. ....	65	932				
3. ....	83					
4. ....	96					
5. ....	162					
6. ....	162					
7. ....	162					
8. ....	230	777	1250			
9. ....	240	377,956			696	
10. ....	307	856	1194- 1195			
11. ....	614					
12. ....	633	790	1053	1245		
13. ....	654					
14. ....	654	1007				
15. ....	654	940	1040	1041		
16. ....	654					
17. ....	654	922				
18. ....	654					
19. ....	654					

## HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1. ....	25					
2. ....	25					
3. ....	30					
4. ....	42					
5. ....	65					
6. ....	65	265	410	445,455, 578	446	
7. ....	65	265	339	395, 579	1739, 1985	
8. ....	65					
9. ....	65	1007	1476			
9. (Sub.) .....			1476			
10. ....	65					
11. ....	65	265				
12. ....	65					
13. ....	65					
14. ....	79	285				
15. ....	83	1288	1414			
15. (Sub.) .....			1414-1420, 1424-1431, 1668-1670, 1731	1432 1668	1731	
16. ....	83					
17. ....	96					
18. ....	96					
19. ....	96					
20. ....	96					
21. ....	111	183	287	334,579		
22. ....	111					
23. ....	111					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
24.	111					
25.	121					
26.	121					
27.	121	762,848	948		122	
27. (2nd Sub.)			948	950	949	
28.	143					
29.	143					
30.	162	777,874	1051			
30. (Sub.)			1051, 1079	1080, 1140	1081, 1093	
31.	179					
32.	212	602,738	898		250	
32. (Sub.)			898	994		
33.	212					
34.	240					
35.	282					
36.	282	932,1007	1253			
36. (Sub.)			1253	1253, 1349	1253	
37.	283					
38.	283	634	680		493	
38. (Sub.)			680,730, 741-743	753	731, 773	
39.	283					
40.	331					
41.	331					
42.	331	848	2057		773	
42. (Sub.)			2057	2113		
43.	331					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
44. ....	331					
45. ....	331					
46. ....	331					
47. ....	331					
48. ....	331					
49. ....	331					
50. ....	373					
51. ....	374					
52. ....	374					
53. ....	374					
54. ....	374	656	932			
54. (Sub.) .....			932	1246		
55. ....	374	672,834	976	976	1672	
56. ....	374	672,834	977	977	1672	
57. ....	374	672,834	977	977	1672	
58. ....	374					
59. ....	374					
60. ....	374					
61. ....	385					
62. ....	633					
63. ....	655					
64. ....	655					
65. ....	664					
66. ....	668					

## HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1.	26					
2.	26	112	149	164	251	
3.	10		10	10	30	
4.	26	146	234	248,579	1862	
5.	10		10	10	30	
6.	65					
7.	84					
8.	96	1007				
9.	96	1007				
10.	97	971				
11.	97					
12.	111					
13.	121				224	
14.	143					
15.	230				267	
16.	261				262	
17.	261		262	262	290	
18.	332	889	977	978	1862	
19.	374				375,437	
20.	375					
21.	375					
22.	375					
23.	380		380	381	397	
24.	380					
25.	438		438	439	580	
26.	544		544	544	548	
27.	550		550	550	550	



HISTORY OF HOUSE CONCURRENT RESOLUTIONS 2415

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
28. ....	553		553	553	584	
29. ....	655					
30. ....	723	1058	1117	1118		
31. ....	954		954	954	967	
32. ....	1056		1056, 1077	1077, 2306	1657,2135, 2305	
33. ....	1730		1730	1730, 2307	2307	
34. ....	1967		1967, 2021	2022	2022	
35. ....	2303		2303	2303	2307	
36. ....	2307		2307	2307	2308	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
1. Representative King: Temporary rules	3	5	4
2. Representatives King, Berentson: Committee to notify Senate House organized	9	9	
3. Representatives King, Berentson: Salaries of members and staff:	10	10	
4. Representatives Gaines, Warnke: Commending Black Watch Drug and Bugle Corps	67	67	
5. Representatives Tilly, Moreau, Pardini, Sanders, Whiteside, Amen, Barnes, Barr, Berentson, Blair, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Fancher, Flanagan, Fuller, Gilleland, Greengo, Haley, Leckenby, Lee, Nelson (Gary), Newhouse, Oliver, Paris, Patterson, Polk, Schmitten, Shinoda, Struthers, Taller, Wilson, Winsley, Zimmerman: Appreciation of state of Washington to President Gerald R. Ford	85	86	
6. Representative King: Committee to recommend official photographer	154	154	
7. Rules Committee: Permanent rules of House	184	200	195-200
8. Representatives Berentson, Polk, Newhouse, Wilson, Greengo, Lee, Paris: Request for Committee of the Whole	224		225
9. Representative Winsley: Congratulating Jill Sawyer, skater	272	272	
10. Representatives Hurley (George), Pardini: Reflection on Abraham Lincoln	272	273	
11. Representatives Burns, Lux, Nelson (Dick), Sherman, Vrooman, Pruitt, Eng, Charnley, Becker, Kilbury: UTC regarding charitable contributions	323		323,951
12. Representatives Berentson, Schmitten, Flanagan, Zimmerman, Winsley, Whiteside, Oliver, Wilson, Lee, Polk, Patterson, Tilly, Newhouse, Leckenby, Struthers, Taller, Clayton, Barr, Fuller, Deccio, Gilleland, Chandler, Paris, Craswell, Pardini, Dunlap: Directing Energy and Utilities Committee to deal with energy crisis	340		340
13. Representatives O'Brien, Newhouse, Lux, Conner, Sommers, Leckenby, Hurley (Margaret), Berentson: Retirement - Ross Cunningham	409	409	
14. Representatives Berentson, King: Use of House Chambers for Youth Legislature	545	545	
15. Representatives King, Berentson: Notifying Senate House is about to adjourn	550	550	
16. Representative King: Notifying Senate House organized	552	552	
17. Representative King: Salaries of members and staff	552	553	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
18. Representatives Bagnariol, Deccio, Pardini: St. Patrick's Day	629	629	
19. Representatives Gaines, Warnke, Gilleland, Douthwaite, Berentson, Ehlers: Super-saver fare for Sea-Tac to New York requested	669	669	
20. Representatives Thompson, Lux: Sympathy to parents of Larry Dean Grant	778	779	
21. Representatives North, Sherman: Mount Si basketball team, congratulations	779	779	
22. Representatives Oliver, Grier, Fancher, Taller, Walk, Chandler, Schmitt, Shinoda, Craswell, Deccio, Grimm, Clayton, Bond, Tilly: Requesting FDA to reconsider ban of saccharin	779	779	
23. Representatives Nelson (Dick), Whiteside, Clayton, Burns, Boldt, Kilbury, Deccio: Urging DES to develop plan and report to Governor and Legislature regarding decline in economy in certain areas	1049	1049	
24. Representatives Gruger, Pardini: Commending YMCA Youth Legislature	1049	1049	
25. Representatives Boldt, Bender: Secretaries' Week	1049	1050	
26. Representatives Zimmerman, O'Brien, Becker, Pardini: Volunteer Week 1977	1076	1076	
27. All members of the House: Commending Chief Will Bachofner	1123	1123	
28. Representatives Maxie, O'Brien, Zimmerman, Erickson, Amen, Pardini, Bauer, McKibbin, Polk, Gallagher, Fischer, North, Shinoda, Eng, Hurley (George), Hurley (Margaret): Commemorating founding of Providence Medical Center	1149	1149	
29. Representatives Clemente, Chandler, Shinpoch, Adams: Select committee on Youth Alcohol Problems	2209	2209	1573
30. Representative Hurley (George): Commending Karen and Mickey Taylor, owners of Seattle Slew	1351	1352	1351
31. Representatives Dunlap, Charnley, Douthwaite, Wilson, Martinis, Berentson, Sherman: Asking that Washington state not be transshipment point			1573,1574,1970
32. Representative Chandler: Directing study by Higher Education Committee on acquisition of St. Edward's Seminary			1573
34. Representatives O'Brien, Gallagher, May, Adams, Martinis, Knowles, Conner, Hurley (George), McCormick, Hurley (Margaret), Bagnariol: Retirement of Jack Taylor, assistant State Treasurer	1574	1574	
35. Representatives Struthers, Haley, Bond, Owen, Whiteside, Walk: Directing Speaker to appoint committee to investigate legal procedures regarding Western State Hospital			1575

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
36. Representatives Conner, O'Brien, Gallagher, McCormick, Charette, Erickson, Fischer, Vrooman, King: Commemorating Ladies Auxiliaries of the Fraternal Order of Eagles	1575	1575	
37. Representatives Warnke, Gaines: Bigfoot	2209	2210	
39. Representatives Conner, Bauer, McKibbin, Heck, Thompson: Requesting V.A. permit Vancouver to retain facilities	1929	1929	
40. Representatives Keller, Pearsall, Winsley, Craswell, Valle, McCormick, Erickson, Kreidler, Maxie, Hurley (Margaret): Welcoming Girl Scout President, Dr. Gloria Scott	1605	1605	
41. Representative Boldt: Directing Council on Post-secondary Education study on Joint Center for Graduate Studies	1970	1970	
42. Representatives Hurley (Margaret), Pardini: Directs House Rules Committee investigate voting record			1970
43. Representative Lysen: Termination of Airline Mutual Aid requested	2115	2115	
44. Representatives Oliver, Boldt, Kilbury, Struthers, Dunlap: Funds for breeder reactors and nuclear fusion power requested			1970
45. Representatives Erickson, Burns, Oliver, Chandler, Moreau, Shinpoch, Martinis, Grimm: Council on Postsecondary Education study regarding financial awards to students	1971	1971	
46. Representatives Erickson, Burns, Oliver, Chandler, Moreau, Patterson, Grimm: Council for Postsecondary Education study of student loans	2116	2117	
47. Representatives Heck, McKibbin, Thompson, Bauer: Congratulating Portland Trailblazers	1875	1875	
48. Representatives North, Gaines, Sherman: Congratulating Enumclaw baseball coach and team	2117	2117	
49. Representatives Nelson (Gary), Fancher, Gruger, Charnley, Taller, Amen, Blair, Tilly, Maxie, Whiteside, Schmitt, Douthwaite, Zimmerman, Charette, Sanders, Eng, Pearsall, Craswell, Flanagan: Congratulating U of W crew and coach	1905	1905	
50. Representatives Heck, Clemente, Hughes, Bauer, Whiteside, Barnes, Dunlap, McKibbin, Fortson: Study of competency requirements of school graduates	2221	2221	
51. Representatives Hurley (George), Douthwaite, Charnley, Lux, Burns, Gruger, Valle, Sommers, Sherman, Nelson (Dick): Recognizing contributions of Alice Franklin Bryant	2115	2116	
52. Representatives Nelson (Dick), Hawkins, Owen, Conner, Valle, Douthwaite, Hurley (George), Williams, Pruitt, Charnley, Smith, Martinis,			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Enbody: Request for consideration of exchange of Alaskan oil through trade	2118	2118	
53. Representatives Pardini, Hurley (Margaret): Establishing a committee to study legislative efficiency			2305
54. Representatives Polk, Conner, Taller, Sommers: Asking for justification in reduction of Reserve Civil Affairs activities	2117	2117	
55. Representative King: Study by House Appropriations Committee of school revenues and expenditures	2116	2116	
56. Representatives Fortson, Wilson, Berentson: Requesting DNR to examine clearcutting	2124	2125	
57. Representatives Hanna, Struthers: Studies relating to criminal sentencing	2124	2124	
58. Representatives Heck, Smith, Boldt: Study by SPI on growth of school enrollment	2221	2221	
59. Representative Barnes: Task force to develop evaluation of school funding			2305
60. Representatives Keller, Kreidler: Study of relationship of OTCC with Community College District 12			2305
61. Representative Shinoda: Study of state budget cycle	2222	2223	
62. Representatives Berentson, Newhouse, Oliver, Moreau, Zimmerman, Barr, Hansen, Fancher: Study of self-insurance			2305
63. Representatives Ehlers, Charette, Conner, Salatino, Walk, Hughes: Study of legislative activities of state agencies	2221	2222	
64. Representatives King, Berentson: Committee to notify Senate House ready to adjourn	2308	2308	
66. Representatives King, Berentson: Interim business of the House	2219	2221	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2002. ....	1210	1353	1464	1464		Ch. 43 Ex.
2005. ....	261	488	501	501	523	Ch. 33
2008. (Sub.) ....	670					
2014. ....	440	1069	1473	1474		Ch. 81 Ex.
2015. ....	985					
2019. (Sub.) ....	307	488	500	501	523	Ch. 34
2021. ....	212	377	436,481	481	488	Ch. 11
2024. ....	291	489	503	503	536	Ch. 67
2029. ....	179	877	1071	1071		Ch. 17 Ex.
2032. (Sub.) ....	451	497	682-684, 694-696	1424, 1996	1528,1973 1990	Ch. 329 Ex.
2034. (Sub.) ....	794	1212	1754; 1757	1969	2214	Ch. 361 Ex.
2040. (2nd Sub.) ...	1269	1388	1519	1660, 1996	1996	Ch. 316 Ex.
2042. ....	854	1165	1675,1679- 1684,1711	1711, 2069	1885, 2055,2068	Ch. 337 Ex. PV
2048. ....	240					
2052. (Sub.) ....	397	672	1071	1072	1162	Ch. 22 Ex.
2055. ....	179	1069	1474	1474	1502	Ch. 82 Ex.
2056. (Sub.) ....	122	183	218	219,376	342,376	Ch. 4
2057. ....	440	505	510	740	533	Ch. 3 Ex.
2059. ....	213					
2060. ....	240	454	482,484	485		Ch. 12
2061. ....	930	1165	1585	1585		Ch. 154 Ex.
2062. ....	230	699	916			
2063. (Sub.) ....	440	700	1286	1286		Ch. 25 Ex.

\* Action by Governor

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2064. ....	332					
2065. ....	213	474	491	491	237	Ch. 13
2066. ....	213	474	491	491		Ch. 14
2067. ....	307	506	510	511		Ch. 76
2068. ....	240	474	492	492		Ch. 15
2069. ....	471	603, 1059	682,703- 705,714- 717,1440, 1441	1500	1525	Ch. 83 Ex.
2071. ....	261	489	504	504	536	Ch. 68
2074. ....	179	480	498	498		Ch. 35
2075. ....	231	489	500	519		Ch. 48
2078. ....	261	506	511	511		Ch. 47
2079. ....	231	506	511	512		Ch. 49
2080. ....	213	1166	1474	1475		
2081. ....	708	1070	1464	1547		Ch. 108 Ex.
2082. (Sub.)	736	834	965	965, 1597	1347,1406, 1562,1597	Vetoed
2083. ....	240	506	512	512	536	Ch. 79
2088. ....	111	146	220	220	236	Ch. 2
2090. ....	387	489	500	500	536	Ch. 69
2091. ....	240	481	499	499		Ch. 36
2095. ....	143	470	482	482		Ch. 16
2096. ....	143	454	482	483		Ch. 17
2097. ....	451	877	1072	1072		Ch. 16 Ex.
2098. ....	143	475	492	492		Ch. 18
2104. (2nd Sub.)	942	1008	1512	1512		Ch. 106 Ex.
2106. ....	179	489	503	503		Ch. 62
2107. (Sub.)	1163	1353	1585	1585, 1605	1604	Vetoed

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2108. ....	471	988	1287	1287	1435	Ch. 44 Ex.
2110. ....	213	489	499	499	524	Ch. 63
2111. ....	854	1095	1504	1758		Ch. 221 Ex.
2112. (Sub.) ....	429	1095	1712			
2113. (Sub.) ....	261	811	1625	1626		PV Ch. 155 Ex.
2114. ....	633	1238	1536	1537		Ch. 123 Ex.
2115. (Sub.) ....	697	485				
2116. ....	261					
2119. ....	261					
2121. (Sub.) ....	685	1239	1749	1750		Ch. 232 Ex.
2122. ....	451	1167	1287	1287		Ch. 45 Ex.
2123. ....	240	490	504	504		Ch. 64
2124. ....	261	506	512	512		Ch. 65
2125. (Sub.) ....	736	1097	1441	1442		Ch. 46 Ex.
2126. ....	213	486	503	519		Ch. 70
2129. (Sub.) ....	307	710	1442, 1444	1445	1502	Ch. 84 Ex.
2130. (Sub.) ....	261	470	483	483		Ch. 19
2132. (Sub.) ....	810	1098	1626	1627		Ch. 157 Ex.
2133. ....	440	490	501	502	537, 544	PV Ch. 75
2143. (Sub.) ....	760	1098	1512	1543, 1933	1594, 1932	Ch. 311 Ex.
2154. (Sub.) ....	736	1289	1465	1465	1496	Ch. 85 Ex.
2156. ....	291	688	901	929, 1561	1269,1406, 1529,1543, 1561	Vetoed
2157. ....	261	481	517	518		Ch. 71
2158. ....	240					



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2159. ....	429	725	1119	1424,1496- 1497,1623- 1625,1630	1630	Ch. 158 Ex.
2160. ....	854	1181	1676	1677		Ch. 210 Ex.
2161. (Sub.) .....	1082	1520	1751	1751		Ch. 223 Ex.
2164. ....	261	420	483	483		Ch. 20
2166. ....	685	951,989, 1168	1466	1466	1526	Ch. 86 Ex.
2169. (Sub.) .....	452	1290	1466	1466	1496	Ch. 87 Ex.
2171. ....	261	506	513	513		Ch. 78
2172. ....	397	700	1519	1758		Ch. 233 Ex.
2174. ....	452					
2175. ....	419	544	729	894		Ch. 9 Ex.
2179. (Sub.) .....	1900					
2180. ....	375	951	1442	1442		Ch. 47 Ex.
2181. ....	472	506	513	513		Ch. 66
2182. ....	920	1098	1443	1443		Ch. 48 Ex.
2184. ....	472	877	918	928		Ch. 11 Ex.
2185. ....	472	1283	1630	1632, 2013	1706,1973, 2012	Ch. 340 Ex.
2186. (Sub.) .....	1406	2107	2128	2137	2109, 2125	
2189. ....	614	1098	1537	1537		Ch. 92 Ex.
2190. ....	332	475	492	492		Ch. 31
2194. ....	1269					
2195. ....	472					
2196. ....	748	1084	1443	1443, 1529	1529	Ch. 107 Ex.
2197. (Sub.) .....	1001	1290	1537	1538	1076	PV Ch. 156 Ex.
2199. ....	614	1008	1444	1444		Ch. 162 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2200. ....	472	509	1120	1544		Ch. 109 Ex.
2201. ....	441	507	514	514	544	Ch. 80
2202. ....	614	1296	1627	1627		Ch. 159 Ex.
2207. ....	685	1163				
2208. ....	441	539	1072	1073, 1348	1163, 1347	Ch. 26 Ex.
2210. (Sub.) ....	774	1099	1439	1544		Ch. 163 Ex.
2211. ....	1270	1296	1517	1577		Ch. 124 Ex.
2215. ....	419	1126	1662	1662, 1878	1739, 1878	Ch. 234 Ex.
2217. ....	875	1168	1716	1717		Ch. 211 Ex.
2221. ....	775	1070	1446	1446,1498- 1499	1453, 1544	
2222. ....	775	1101	1447	1447		Ch. 49 Ex.
2225. ....	261	430	484	484		Ch. 32
2230. ....	375	475	493			
2232. (2nd Sub.) ...	1710	1742	2029,2031- 2037	2037, 2217	2217	Ch. 341 Ex.
2235. (Sub.) ....	1900	2074	2210	2211		Ch. 342 Ex.
2241. ....	846	1060	1439	1500		Ch. 122 Ex.
2242. ....	1900	2074	2211	2211		Ch. 343 Ex.
2244. (Sub.) ....	1179	1354	1541	1541		Ch. 125 Ex.
2245. (Sub.) ....	472	762	844,880- 884	884		Ch. 7 Ex.
2251. ....	452	545	730	804	826	Ch. 4 Ex.
2254. ....	723	1070	1447	1447		Ch. 50 Ex.
2258. ....	452	710	1073	1073		Ch. 15 Ex.
2263. ....	633	1102	1447	1448		Ch. 51 Ex.
2267. (Sub.) ....	1001				1076	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2268. (Sub.)	1001	1168	1587	1587, 1935, 1939	1076,1707, 1889, 1934	Ch. 312 Ex.
2272.	1900	2074	2211	2212		Ch. 344 Ex.
2273.	472	812	1440	1545		Ch. 126 Ex.
2274. (Sub.)	1900	2075	2212	2212		Ch. 345 Ex.
2277.	1900	2075	2212	2212		Ch. 346 Ex.
2282.	708	812	1582,1601- 1604	1604	708, 1706,1879, 1935	Ch. 313 Ex.
2286.	685	989	1448	1448	1526	Ch. 93 Ex.
2288.	1001	1241	1549	1550		Ch. 110 Ex.
2292.	472					
2293.	1270					
2294.	686					
2295.	697	1102	1448	1449		Ch. 52 Ex.
2299.	697					
2300.	452	1102	1449	1449		Ch. 53 Ex.
2301.	833	1102	1458	1458		Ch. 54 Ex.
2302.	794	1102	1459	1459		Ch. 55 Ex.
2306. (Sub.)	1270					
2310.	452	991	1440	1545		Ch. 127 Ex.
2314.	441	943	1459	1459		Ch. 56 Ex.
2315.	472	726	1151	1151	1210	Ch. 24 Ex.
2323.	875					
2324.	472	1102	1459	1459		Ch. 57 Ex.
2325.	332	877	1119	1119	1163	PV Ch. 19 Ex.
2327.	1163					
2328.	64,1163	1520				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2331. ....	1163					
2332. ....	930					
2338. ....	332	777	914	914	486	Ch. 10 Ex.
2339. (Sub.) ....	1210				1285	
2341. ....	375	830	1460	1460		Ch. 58 Ex.
2342. ....	397					
2344. ....	452	830	1460	1460		Ch. 59 Ex.
2356. (Sub.) ....	1163	1355	1550	1550		Ch. 128 Ex.
2359. ....	1163					
2365. ....	472	922	1467	1467		Ch. 78 Ex.
2371. ....	587	1084	1461	1461		Ch. 60 Ex.
2373. (Sub.) ....	1283					
2374. ....	387	507	515	516	536	Ch. 81
2375. (Sub.) ....	794					
2376. (Sub.) ....	1211	1636			2145	
2378. ....	452	507	518	880		Ch. 6 Ex.
2382. (Sub.) ....	472	539	915	1546, 2025	1706,1985, 2024	Ch. 330 Ex.
2383. (Sub.) ....	1125	1272	1550	1551		PV Ch. 152 Ex.
2384. ....	387	545	730	1473		Ch. 61 Ex.
2385. ....	375	507	516	517		Ch. 77
2387. ....	473	890	1120	1120		Ch. 21 Ex.
2389. (Sub.) ....	1270	1297				
2399. (Sub.) ....	985	1241	1441	1546		Ch. 111 Ex.
2400. ....	452	923	1551	1551		Ch. 114 Ex.
2405. (Sub.) ....	1211	1283	1531	1894		
2408. ....	473	923	1551	1552		Ch. 115 Ex.
2416. ....	826	1070	1461	1461		Ch. 77 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2418. ....	473	738	918,924- 928,1118	1542		Ch. 212 Ex.
2419. ....	708	1181	1440,1492, 1508-1511, 1514	1569, 2112	1889, 2070, 2109	Ch. 363 Ex.
2421. ....	473	923	1461	1462, 1709	1541,1560, 1658, 1708	Ch. 213 Ex.
2422. ....	1865				1914	
2426. ....	775	1084	1552	1552		Ch. 153 Ex.
2429. ....	1179	1355	1717	1717		Ch. 222 Ex.
2430. (Sub.)	1082	1283	1534- 1536	1759		Ch. 277 Ex.
2431. (Sub.)	775	878	983	1076		Ch. 13 Ex.
2435. (Sub.)	736	856, 1350	1441, 1478	1479, 2080	885,1754, 2073, 2080	Ch. 331 Ex.
2437. ....	736	1084	1467	1467	1496	Ch. 88 Ex.
2439. ....	441	1169	1530	1717		Ch. 214 Ex.
2441. ....	826	956, 1777	2140	2140		Ch. 372 Ex.
2443. ....	788	971	1468	1468		Ch. 79 Ex.
2444. ....	1001	1126	1553	1553	1050	Ch. 129 Ex.
2445. (Sub.)	1163	1355	1586	1586, 1880	1706, 1879	Ch. 280 Ex.
2447. ....	473	539	730	915		Ch. 8 Ex.
2451. ....	452	1102	1440	1547,1566, 1567, 1899	1614, 1707, 1899	Ch. 290 Ex.
2452. ....	1001	1169	1462	1463		Ch. 62 Ex.
2453. ....	1270	1356	1515- 1517	1566		Ch. 150 Ex.
2460. ....	827	1008	1890	1890		Ch. 281 Ex.
2462. ....	1082	1356				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2465.	1270					
2472.	903	1278	1674	1675		Ch. 220 Ex.
2478.	473	751	1073	1074		Ch. 18 Ex.
2479.	1164	1297	1719	1719		Ch. 215 Ex.
2480.	1125	1482	1533	1534, 2104	1969,2089, 2103	Ch. 292 Ex.
2484.	827	1103	1463	1463		Ch. 63 Ex.
2485.	930	1297	1553	1553		Ch. 130 Ex.
2486.	1002	1279	1719	1719		Ch. 216 Ex.
2489. (Sub.)	854	1070	1440	1547		Ch. 116 Ex.
2493.	942	1297	1511	1570, 1914	1707, 1914	Ch. 282 Ex.
2500.	473	1170	1533	1760		Ch. 224 Ex.
2502. (Sub.)	1083	1673	1753	1753		Ch. 284 Ex.
2506. (Sub.)	1164					
2510.	1083	1389	1719	1720		Ch. 217 Ex.
2512.	1270	1301	1676	1676		Vetoed
2516.	1125	1241	1720	1720, 2070	1906,1983, 2050, 2070	Ch. 362 Ex.
2522. (Sub.)	1503	1636	2143	2144, 2150	2150	Ch. 332 Ex.
2525. (Sub.)	1164	1636	1751	1752		Ch. 235 Ex.
2527. (Sub.)	1179	1356	1532	1760		Ch. 236 Ex.
2529. (Sub.)	903	1126	1858	1858		Ch. 225 Ex.
2530. (Sub.)	1270	1301	1468	1468		Ch. 64 Ex.
2537. (Sub.)	775	1615	2145- 2148	2149		Ch. 317 Ex.
2543. (Sub.)	775	1598	2050	2052		Ch. 333 Ex.
2544. (Sub.)	775	1622	1893	1893		Ch. 237 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2554.	1180					
2558. (Sub.)	931	1070	1677	1677, 2114	1678	Ch. 334 Ex.
2561.	283	293, 377	378	378	283,293- 295	Ch. 3
2563.	1002	1241	1858	1858		Ch. 238 Ex.
2565. (Sub.)	1002	1242	1554	1554		Ch. 117 Ex.
2570.	1002	1284	1469	1469	1503	Ch. 89 Ex.
2591. (Sub.)	1270	1356	1554	1554		Ch. 118 Ex.
2593. (Sub.)	942	1182	1495	1569		Ch. 131 Ex.
2608. (Sub.)	1270	1389	1598- 1601	1759	1285, 1885	Ch. 314 Ex.
2619. (Sub.)	1164	1301	1555	1555		Ch. 119 Ex.
2620. (2nd Sub.)	419	449, 710	726- 727	727- 728	732	Ch. 1 Ex.
2632. (2nd Sub.)	419	450				
2634. (Sub.)	1083	1170	1494	1569		Ch. 132 Ex.
2638. (Sub.)	1211	1302	1494	1548		Ch. 133 Ex.
2654. (Sub.)	1270	1356	1627	1659, 1740	1739	Ch. 278 Ex.
2662.	1094	1242	1712	1713		Ch. 285 Ex.
2667.	1164	1356	1892	1893		Ch. 287 Ex.
2668.	833	1126	1469	1470, 1865	1529,1741, 1862	Ch. 279 Ex.
2675.	1180	1357	1495	1576		Ch. 134 Ex.
2678.	587	1242	1859	1859		Ch. 226 Ex.
2681. (Sub.)	931	1008	1463	1463		Ch. 65 Ex.
2697. (Sub.)	1204		1204- 1209	1209	1541, 2043	Vetoed
2700. (Sub.)	2025		2125- 2128	2128	2125	
2702. (Sub.)	1083	1521				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2703. (Sub.)	1901	2075	2213		2213	
2714.	2215		2215	2215		Ch. 347 Ex.
2731. (Sub.)	1180	1284	1586	1586		Ch. 149 Ex.
2744. (Sub.)	1271				1351	
2747.	854	1070	1555	1555		Ch. 135 Ex.
2769.	903	971	1470	1470	952	Ch. 66 Ex.
2809. (Sub.)	1271					
2810. (Sub.)	1886		1886,1928	1928		Ch. 283 Ex.
2811. (Sub.)	1180	1284	1628	1629		Ch. 160 Ex.
2818. (Sub.)	1530	1742	2058- 2060	2060		
2825.	1094	1731	1890	2114		Ch. 335 Ex.
2831.	698	1182	1556	1556		Ch. 120 Ex.
2839.	1180	1742	1893	2215		Ch. 348 Ex.
2840. (Sub.)	1069					
2851. (Sub.)	1211	1521	1572	1572	1267	Ch. 136 Ex.
2858. (Sub.)	1211	1357	1494	1659		Ch. 164 Ex.
2864.	698	1085	1470	1471		Ch. 68 Ex.
2868.	827	1103	1556	1556		Ch. 121 Ex.
2872. (Sub.)	1271	1357	1471	1471		PV Ch. 80 Ex.
2873. (Sub.)	1456	1530	1662	1663		Ch. 218 Ex.
2877. (Sub.)	1580	1642	1642, 1664	1664, 1998	1777,1931, 1997	Ch. 336 Ex.
2889. (Sub.)	1271	1357	1750	1751		Ch. 227 Ex.
2906. (Sub.)	1271					
2910. (Sub.)	1423	1742	2026,2037- 2040	2040	2079	Ch. 371 Ex.
2924. (Sub.)	810	1008	1441, 1548	1548, 1549		PV Ch. 151 Ex.



NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
2927. ....	1125	1284	1471	1471		Ch. 67 Ex.
2933. ....	920	1243	1753			
2936. ....	920					
2949. (Sub.) ....	1211	1302, 2214				
2951. ....	1271					
2952. (Sub.) ....	1164	1423			1533	
2956. (Sub.) ....	788	1085	1492, 1506	1571		PV Ch. 141 Ex.
2958. (Sub.) ....	1271					
2975. (Sub.) ....	931	1357	1557	1557		Ch. 139 Ex.
2990. ....	1164	1359	1493	1576		Ch. 165 Ex.
3002. ....	1094	1243	1517	1570		Ch. 161 Ex.
3004. ....	1083	1183	1557	1558		Ch. 112 Ex.
3009. ....	1083	1284	1472	1472	1496	Ch. 90 Ex.
3010. (Sub.) ....	1180	1521	1754	1754		Ch. 228 Ex.
3014. ....	1164					
3015. ....	1711		1711,1754, 1927	1928		Ch. 315 Ex.
3017. ....	921	1103	1464	1464	1503	Ch. 91 Ex.
3019. ....	875	943, 1031	1031	1031		Ch. 12 Ex.
3024. (Sub.) ....	1271					
3027. (Sub.) ....	1125	1389			1149, 2210	
3028. (Sub.) ....	1211	1361	1860	1860		Ch. 229 Ex.
3036. (Sub.) ....	1211	1303	1494, 1503	1658		PV Ch. 219 Ex.
3039. ....	1211					
3044. (Sub.) ....	1180	1361	1892	1892		Ch. 239 Ex.

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3047. (Sub.)	810	856	917	917	1000, 1103	
3048.	1271					
3051. (Sub.)	1083					
3053. (Sub.)	1283	1404				
3054. (Sub.)	1211	1562	1714	1714		Vetoed
3058.	1125	1183	1558	1558		Ch. 113 Ex.
3060.	1125		1125, 1148	1148		Ch. 20 Ex.
3066. (Sub.)	1271					
3067. (2nd Sub.)	1212	1521	1752	1753		Ch. 240 Ex.
3068.	1164	1285	1892	1892		Ch. 286 Ex.
3071. (Sub.)	1212	1303	1714, 1716	1716		Ch. 230 Ex.
3080. (Sub.)	1711					
3093. (Sub.)	1271	1405	1517,1530, 1549	1549		Ch. 166 Ex.
3097. (2nd Sub.)	1940	2075	2216, 2306	2306		Ch. 349 Ex.
3098. (Sub.)	1125	1279	1504- 1506	1576		Ch. 140 Ex.
3105. (Sub.)	1694		1694, 1715	1715		Ch. 231 Ex.
3109. (Sub.)	921	1303	1361-1388, 1408-1414, 1420,1432- 1433,1449, 1451	1452, 1495, 2202	921,1452, 1540, 1543, 2163	PV Ch. 339 Ex.
3110. (Sub.)	1456	1777	1871-1874, 1901-1904, 1910-1913, 1918-1926	1926, 2303	2014, 2219, 2223	PV Ch. 338 Ex.

## HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
102. (Sub.)	985					
103.	794					
109.	1212	1361	1472	1472		
110.	1439		1439	1439		
111.	1634	1711				

## HISTORY OF SENATE JOINT RESOLUTIONS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
104. ....	1279	1343				
108. ....	1243	1423	1678	1678	1679	
109. ....	488					
113. ....	1183	1407	1573	1573		
116. (Sub.) .....	1530	1749	2076, 2113	2113		
124. ....	1164				1974, 2035	

## HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
101. ....	162		484	484		
103. ....	67		67	67	81	
105. ....	162		219	220		
110. ....	332		332	332		
113. ....	546		546	547		
114. ....	553		553	553		
116. ....	780		780	780		
117. ....	1125	1125	1152	1152		
118. ....	1262		1262	1262		
120. ....	1456		1456	1456		
121. ....	1580		1580- 1582	1582		
122. ....	1694					
123. ....	2208		2208	2209		
124. ....	2304		2304	2304		

**ABANDONED VEHICLES**

Hulk haulers, scrap processors, regulations, HB 785

Removal, state patrol, law enforcement officers, authority, \*Sub HB 228, Ch. 167 1st Ex.

**ABORTION**

Infants, prematurely born alive in course of abortion, HB 1117

**ACCIDENTS**

Abstracts, driving record, underwriting consideration, \*Sub HB 1132, Ch. 356 1st Ex.; \*Sub SB 3098, Ch. 140 1st Ex.

Insurance, uninsured, underinsured motorist coverage, \*Sub HB 1348 V

Motor vehicle operators, liability insurance, financial responsibility deposit, Sub SB 2306

Motor vehicles, legally standing, reports required, \*SB 2864, Ch. 68 1st Ex.

Motor vehicles, written reports, damage amount increased, \*HB 727, Ch. 369 1st Ex.

Motor vehicles, written reports, state patrol, HB 680

Traffic offenses, certain, decriminalizing provisions, HB 452, SB 2293

**ACCOUNTANTS AND ACCOUNTING**

Cemetery, prearrangement trust fund report requirements, \*Sub HB 68, Ch. 351 1st Ex.

Nursing homes, financial statement audits, \*Sub HB 1189, Ch. 260 1st Ex.

Public, licenses, examination, fees, HB 794

**ACTS**

Acts, effective date, HJR 64

Auctioneers licensing, HB 1338

Automobile repair responsibility, HB 319

Basic education, \*Sub HB 960, Ch. 359 1st Ex.

Basic program of educational financial equalization, HB 862

Beverage container control, HB 740

Bilingual instruction, Sub HB 480

Citizens for fair school funding basic program of education, HB 571

Citizens for fair school funding educational accountability, HB 594

Comparative fault, HB 524

Comprehensive sentencing, \*HB 615, Ch. 206 1st Ex.

Criminal records, privacy, HB 1155

Dam safety, Sub HB 1175

Dental disciplinary board, \*Sub HB 23, Ch. 5 1st Ex.

Discriminatory boycotts, HB 802

Fair campaign practices, HB 915

Family farm water conservation, alternative to Initiative 59, Sub HB 1123, \*Sub HB 1120, Ch. 357 1st Ex.

Family farm water, Initiative 59

Financial affairs privacy, HB 730

Financial institutions disclosure, \*Sub HB 323, Ch. 301 1st Ex.

Hazardous substances, 2nd Sub HB 4

In-service training, \*Sub HB 470, Ch. 189 1st Ex.

Juvenile justice, \*3rd Sub HB 371, Ch. 291 1st Ex.

Kennedy-Corman health security, congressional passage petitioned, HJM 10

Labor-management relations, HB 62

Marihuana education and control, Sub HB 257

Mobile home landlord-tenant, Sub HB 558, \*SB 2668, Ch. 279 1st Ex.

Natural death, 2nd Sub HB 252

Proven educational practices (PEP), Sub HB 1203

Public trust, HB 1253

Public water system coordination, \*Sub HB 165, Ch. 142 1st Ex.

Regulatory reform, HB 36, \*Sub SB 2082 V

Sunset, \*Sub HB 564, Ch. 289 1st Ex.

Uniform child custody jurisdiction, Sub HB 1145

Uniform class actions, HB 540

Victims of sexual assault, Sub HB 820

Weatherization assistance, Sub HB 93

**ACTUARIES**

State, legislative processing, executive request advice, \*SCR 105

**ACUPUNCTURE**

Practice, physicians, osteopaths assistants, licensing regulations, \*SB 2172, Ch. 233 1st Ex.

**ADJUSTMENT**

Boards, action, persons aggrieved, HB 185

**ADMINISTRATIVE LAW**

Banks, trust companies, unsound conditions, officers, \*HB 338, Ch. 178 1st Ex.

Real estate salesmen, brokers, cease and desist orders, \*HB 448, Ch. 261 1st Ex.

Register, created, agency rules, statute law committee publications, appropriation, \*2nd Sub SB 3067, Ch. 240 1st Ex.

WAC rules, amendments, bill drafting style, \*Sub SB 2130, Ch. 19

**ADMINISTRATIVE PROCEDURE ACT**

Insurance agents, qualification, educational requirements, Sub HB 330

Judicial review, additional parties, joint filing, HB 399, \*SB 2295, Ch. 52 1st Ex.

Register, created, agency rules, \*2nd Sub SB 3067, Ch. 240 1st Ex.

Statement of purpose, rules adoption, \*Sub SB 2129, Ch. 84 1st Ex.

WAC rules, amendments, \*Sub SB 2130, Ch. 19

**ADOPTIONS**

Parental consent, procedures, notice, born out of wedlock, HB 894

Parental rights, voluntary termination petition, HB 875

Petitioner, preplacement study, HB 476

**ADVERTISING**

County roads, construction, improvement, hearings, public notice, Sub HB 1258

Highway project bids, call, \*SB 2124, Ch. 65

Newspapers, legal publications, advertising, bids, \*Sub SB 2019, Ch. 34

Professional, permitted, HB 507

Public works contracts, counties, bid invitations, \*HB 301, Ch. 267 1st Ex.

Public works contracts, legal publications, HB 576

Signs, devices, displays, real property, \*Sub SB 2956, Ch. 141 1st Ex. PV

**AERONAUTICS COMMISSION**

Aircraft fuel excise tax, reduced, Sub HB 317

Transportation department, created, certain agencies abolished, Sub HB 718, \*Sub SB 2924, Ch. 151 1st Ex. PV

**AGED PERSONS**

Care, alternative services, revisions, \*2nd Sub HB 251, Ch. 321 1st Ex.

Fees, schools, cultural, social, recreational, athletic events, reduced, \*HB 583, Ch. 170 1st Ex.

Fishing licenses, free, minimum age reduced, HB 310

Motorcycles, licenses, persons age 65 or older, free, HB 940

Polling places, handicapped, aged persons, accessibility, Sub HB 845

Programs, senior citizens, local funds, Sub HB 1278.

Rental support programs established, HB 881

State parks, passes, \*Sub SB 2382, Ch. 330 1st Ex.

Supplemental security income, HB 536

Taxes, real property, residences, value basis, HB 154

Taxes, real property, residences, income limit exemption, HB 297, \*HB 355, Ch. 268 1st Ex.

Taxes, real property, residences, income limits, consumer price index, HB 250

Taxes, real property, residences, mobile homes, Sub SB 2840

Taxes, real property, residences, HB 40, HB 80

Taxes, real property, residences, veteran's disability compensation, HB 201

Utility services, charges, deferred payment permitted, HB 1326

Utility services, termination notice provisions, HB 486

**AGENCIES**

Abolishment procedures established, \*Sub HB 564, Ch. 289 1st Ex.; \*Sub SB 2082 V

Administrative decisions, judicial review, HB 399, \*SB 2295, Ch. 52 1st Ex.

Administrative rules review, appropriate legislative committee, SB 2119

Archaeology and historic preservation office, created, \*HB 70, Ch. 195 1st Ex.

Attorney general, powers redefined, HB 676

Baby sitting referral services, employment agency definition, HB 838

**AGENCIES—cont.**

- Books, equipment, surplus, private school availability, written notice, \*Sub HB 656, Ch. 303 1st Ex.
- Budgets, expenditures based on anticipated revenues, \*Sub HB 402, Ch. 247 1st Ex.
- Building code, construction site council, HB 1311
- Business inspections, select joint committee, Sub HB 908
- Certain, abolished, HB 64
- Collection, license suspensions, civil, monetary penalties, \*HB 828, Ch. 194 1st Ex.
- Columbia River Gorge, environmental protection, \*Sub SB 2634, Ch. 132 1st Ex.
- Compensation, members, various boards, commissions, committees, councils, HB 714
- Decisions, contested, appeals court review provisions, HB 415, SB 2299
- Employment, defined, contracts, bonds, license qualifications, \*SB 2263, Ch. 51 1st Ex.
- Employment, part time, permanent, pilot program, HB 1139
- Employment security, records, access, disclosure, confidentiality, HB 497, \*SB 2426, Ch. 153 1st Ex.
- Environmental policy act, \*Sub SB 2654, Ch. 278 1st Ex.
- Environmental policy act, social, historic considerations, HB 948
- Ethics, legislative, HB 931, \*Sub SB 2873, Ch. 218 1st Ex.
- Executive branch, reorganization, HB 570
- Fiscal notes, proposed legislation, HB 129, \*Sub SB 2063, Ch. 25 1st Ex.
- Forest fires, patrol assessments, litigation, \*HB 298, Ch. 102 1st Ex.
- Health planning, comprehensive program, HB 858
- Historic structures, consideration, use, HB 73, \*SB 2512 V
- Legislative administrative rules review committee, created, Sub HB 82
- Legislative, rules review committee, created, HB 107
- Life-cycle cost analysis, proposed actions, HB 365
- Lobbying activities, requirements, HB 1299, \*SB 2282, Ch. 313 1st Ex.
- Personal service contracts, legislative budget committee, reports, Sub HB 1323, HB 1356
- Petty cash account, maximum amount, special needs base, \*Sub HB 200, Ch. 40
- Printing, contract, private printer, HB 925
- Professional services consultants, state, local, HB 1152
- Prosecution coordination office, powers, duties, HB 614, Sub SB 3066
- Public disclosure, "agency", defined, \*SB 2282, Ch. 313 1st Ex.
- Public health, funds, legislative allocation, HB 814
- Register, created, rules, statute law committee, \*2nd Sub SB 3067, Ch. 240 1st Ex.
- Regulatory reform act, enacted, \*Sub SB 2082 V
- Regulatory, state, termination, continuation, HB 36
- Reports, requirements, HB 231, HB 233, \*Sub SB 2121, Ch. 232 1st Ex.; \*SB 2133, Ch. 75 PV
- Rules, promulgated, statement of purpose, \*Sub SB 2129, Ch. 84 1st Ex.
- Rules, proposed, economic impact, HB 29
- Rules, proposed, legislative review, HB 189
- Sheltered workshops, fair market price, \*SB 2338, Ch. 10 1st Ex.
- Sunset act, enacted, \*Sub HB 564, Ch. 289 1st Ex.
- Surplus property, federal, purchase procedures, \*SB 2747, Ch. 135 1st Ex.
- Tort claims revolving fund, reimbursement, \*Sub SB 3010, Ch. 228 1st Ex.
- Utilities and transportation commission, orders, decisions, HB 1308
- WAC rules, amendments, style, language alternatives, \*Sub SB 2130, Ch. 19

**AGRICULTURE AND LIVESTOCK**

- Agricultural conservation plans, repealed, SB 2059, \*HB 136, Ch. 30
- Agricultural point sources, ecology department, rules, HB 906
- Animals, killed or injured by dogs, damage payment, HB 390
- B&O tax, commodities, HB 52
- B&O tax, manufacturers, triticale, SB 2554
- Bees, inspection, registration, fees, \*SB 2516, Ch. 362 1st Ex.
- Business activities, person engaged as producer and processor, HB 907
- Commodities, storage, subterminal warehousing, defined, Sub HB 1131
- Consumer affairs, product safety department, created, HB 886
- Crops, share, public lands, disposition, \*SB 2164, Ch. 20
- Dam safety act, enacted, Sub HB 1175
- Drought relief, water projects, federal cost-sharing grants, \*SJM 110



**AGRICULTURE AND LIVESTOCK—cont.**

- Family farm water act, alternative to Initiative 59, \*Sub HB 1120, Ch. 357 1st Ex.
- Family farm water act, permits, Initiative 59
- Family farm water conservation act, alternative to Initiative 59, Sub HB 1123
- Farm, agricultural land, taxes, true, fair value, HB 823
- Farmland, open space classification, benefit assessments, 2nd Sub HB 766
- Federal livestock insurance corporation, emergency fund, petitioned, HJM 9
- Hazardous substances act, 2nd Sub HB 4
- Liens, crops, filing, time period, \*HB 45, Ch. 21
- Livestock, drought stricken areas, public lands use petitioned, Sub HJM 9
- Livestock, theft, injury, destruction, civil action, \*Sub HB 678, Ch. 174 1st Ex.
- Milk producers, dealers, fair payment provisions, HB 652
- Miscellaneous laws, weed, seed, inspection standards, \*SB 2208, Ch. 26 1st Ex.
- Nondairy products, food service establishments, regulations, Sub HB 890
- Products, definition broadened, commission merchants, \*Sub HB 674, Ch. 304 1st Ex.
- Stream patrolmen, services, counties, \*HB 55, Ch. 22
- Trespass, livestock, public lands, repealed, \*SB 2164, Ch. 20
- Water resource allocation committee, created, Sub HB 1141

**AIR**

- Pollution, control facilities, excise tax credits, HB 114

**AIR CONDITIONING**

- Energy alternative source conversion devices, sales, use taxes, Sub SB 2186
- Energy saving devices, installation, materials, Sub HB 366
- Insulation, energy efficient, sales, use tax exempt, Sub HB 363
- Locomotives, required, HB 428
- Solar equipment, property tax exemption, Sub HB 366, \*2nd Sub HB 388, Ch. 364 1st Ex.

**AIRCRAFT**

- Fuel, excise tax, federal government, exemptions repealed, HB 1193
- Fuel, excise tax, increased, HB 1130
- Fuel, excise tax, reduced, allocation, Sub HB 317
- Hazard zones, prescribed, HB 488
- Use tax, collection provisions, HB 503

**AIRLINES**

- Mutual aid agreement, termination petitioned, HJM 12

**AIRPORTS**

- Land use planning, comprehensive, regulation, coordination, local, state levels, HB 65

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- Governor Jay Hammond, message, joint session, \*HCR 31 . . . . . pp. 1062–1068
- Oil transfer facility, construction petitioned, HJM 6, HJM 7
- Oil transshipment point, development, other than Washington state, petitioned, HJM 5

**ALCOHOL AND ALCOHOLISM (See also LIQUOR AND LIQUOR CONTROL BOARD)**

- Adult protective services, social and health services department, Sub HB 253
- Alcoholics, involuntary commitment, sustained treatment program, \*SB 2444, Ch. 129 1st Ex.
- Beer, strong beer, wine, state liquor stores, sale prohibited, HB 206
- Beer, wine, containers other than glasses, bottles, allowed, \*SB 2175, Ch. 9 1st Ex.
- Beer, wine, wholesale distributors, franchises regulations, HB 641
- Blood samples, traffic fatalities, state reports required, \*SB 2254, Ch. 50 1st Ex.
- Drinking, dining establishments, \*Sub SB 2107 V
- Intoxicated persons, protective custody, reasonable force permitted, \*SB 2452, Ch. 62 1st Ex.
- Judges, alcohol, drug treatment facilities, referral authority, HB 847
- Labor–management alcoholism counseling programs, legislative ad hoc joint task force, created, HCR 21
- Licenses, certain liquor classifications, temporary issuance, HB 696
- Liquor control board, members, terms reduced, 2nd Sub HB 853
- Liquor licenses, master, persons owning more than one adjacent dining area, HB 719, \*Sub SB 3036, Ch. 219 1st Ex. PV

**ALCOHOL AND ALCOHOLISM (See also LIQUOR AND LIQUOR CONTROL BOARD)**

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- Liquor revolving fund, U of W, WSU, disbursement, research purposes, Sub SB 2506
- Minors, licenses premises, after hours, permitted, \*Sub SB 3036, Ch. 219 1st Ex. PV
- Motor vehicle operators, DWI, alcohol by weight, HB 751
- Motor vehicle operators, DWI, controlled substances, penalties, HB 166, HB 1282
- Motor vehicle operators, DWI, tests, refusal, evidence, HB 1164
- Motor vehicle operators, DWI, treatment programs, penalty schedule, Sub HB 249
- Motor vehicle operators, license issuance, degree of alcoholism redefined, \*SB 2199, Ch. 162 1st Ex.
- Nonprofit organizations, treatment services, B&O tax, HB 1176
- Pamphlets, liquor control board, regulations, \*SB 2408, Ch. 115 1st Ex.
- Sports arenas, race tracks, spectator seating area, hawking prohibited, HB 97
- State parks, limited possession, consumption, HB 48
- Traffic offenders, motor vehicle operators, intoxicated, second violation, HB 846
- Treatment program, penalties, DWI convictions, HB 1296
- Wholesalers, duty free distilled spirits, financial interests, HB 1236
- Wine, labels, contents, detailed, HB 679
- Wine tasting licenses, food provisions, HB 1319

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- Corporations, annual report, HB 265
- Employment, illegal aliens, prohibited, HB 96
- Employment, statutes, obsolete restrictions repealed, HB 143, \*SB 2097, Ch. 16 1st Ex.
- Public assistance, illegal aliens, HB 404
- Teachers, certification, HB 269, \*SB 2185, Ch. 340 1st Ex.
- Tuition, nonimmigrant families, \*Sub SB 2113, Ch. 155 1st Ex. PV

**AMBULANCES**

- Emergency medical, ambulance review committee, HB 595
- Emergency technicians, physician trained, intravenous therapy, \*Sub HB 181, Ch. 55
- Emergency vehicles, catalytic converters, removal permitted, \*HB 1232, Ch. 264 1st Ex.
- Services, municipal corporations, HB 510

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- Rail passenger service advisory committee, created, powers, duties, HB 315
- Transit service, appropriation, Sub HB 149

**AMUSEMENTS**

- Gambling laws, revisions, Sub HB 711, \*HB 417, Ch. 198 1st Ex.

**ANIMALS**

- Abandoned, removal time, \*SB 2927, Ch. 67 1st Ex.
- Bears, cougars, hunting, trapping, closed season, prohibited, \*Sub HB 277, Ch. 44
- Damage payment, killed or injured by dogs, HB 390
- Dogs, persons bitten, liability determination, HB 635
- Game birds, fish, taking, \*HB 262, Ch. 74
- Game cocks, ownership, training, exhibition, fighting, authorized, HB 1280
- Livestock, drought stricken areas, public lands, petitioned, Sub HJM 9
- Livestock, theft, injury, liability, treble damages, \*Sub HB 678, Ch. 174 1st Ex.
- Sodium pentobarbital, animal control agencies, humane societies, \*HB 286, Ch. 197 1st Ex.
- Trapping license granting, instructional course prerequisite, \*HB 274, Ch. 43

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- Land use planning, comprehensive, regulation, coordination, HB 65
- Library districts, cities, towns, \*Sub HB 936, Ch. 353 1st Ex.
- Proposed, small areas, subject to boundary review board action, Sub HB 1190

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- Legislature, 120/60 days, special session, 30 days, SJR 124
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- Motor vehicle operators, DWI, treatment programs, Sub HB 249

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**APIARIES**

Apiary board, advisory, created, \*SB 2516, Ch. 362 1st Ex.

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American Revolution, selections from secondary history books of other nations, purchase, HB 887

Asian-American affairs commission, \*Sub HB 138, Ch. 297 1st Ex.

Broadcasting commission, public, created, HB 833, Sub HB 898

Budget, capital, state, 1977-79 biennium, \*Sub SB 3110, Ch. 338 1st Ex. PV

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Budget, supplemental, state government, 1975-77 biennium, \*Sub HB 169, Ch. 1

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Commerce and economic development department, small business office, \*Sub HB 27, Ch. 70 1st Ex.

Commerce and economic development department, tourism promotion, HB 22

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Community college, high school student education completion, HB 519

Constitutional convention call, Sub HB 170

Ecology department, drought alleviation, general obligation bonds, HB 1239

Ecology department, emergency powers, Columbia River, \*2nd Sub SB 2620, Ch. 1 1st Ex.

Ecology department, emergency powers, water withdrawal, HB 1238

Ecology department, emergency water bond redemption fund, 2nd Sub SB 2632

Ecology department, local government agencies, HB 830

Ecology department, property owners economic losses, compensation, HB 629

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Educational structure and management commission, Sub HB 1277

Education board, state, common school construction fund, \*SB 2570, Ch. 89 1st Ex.

Election costs, counties, Sub HB 1033

Energy office, weatherization assistance act, Sub HB 93

Fisheries department, charter boats, licenses, moratorium, HB 283

Fisheries department, private salmon hatcheries, construction, operation, HB 548

Fisheries department, salmon enhancement program, Sub HB 1183

Fisheries department, salmon fishing, commercial, regulated licensing, HB 264, HB 273, \*2nd Sub SB 2104, Ch. 106 1st Ex.

Fisheries department, salmon rearing facilities, release-recapture, HB 258, Sub HB 261

Funds, certain, transfer directed, \*Sub SB 2681, Ch. 65 1st Ex.

General administration department, business license center, \*Sub HB 120, Ch. 319 1st Ex.

General administration department, Capitol Lake, rehabilitation, Sub HB 1172

General administration department, visitors parking garage, HB 716

Governor, executive branch, elected officials, salary increases, 2nd Sub HB 1321, \*2nd Sub HB 1306, Ch. 318 1st Ex.

Higher education retirement system, payment adjustment, HB 920

Highway commission, ferry construction, general obligation bonds, HB 610, Sub SB 2375

Highway commission, operations, capital improvements, 1977-79 biennium, Sub SB 2543

Highway commission, Puget Island ferry operations, 1977-79 biennium, \*HB 148, Ch. 37

Highway commission, reimburseable expenditures, 1977-79 biennium, Sub SB 2544

Highway commission, Spokane River toll bridge redemption, HB 904

Highway commission, supplemental, 1975-77 biennium, SB 2088

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- Local government investment pool, Sub HB 464
- Longshoremen's and harbor worker's fund, HB 504
- Lottery, state, established, HB 92
- Motor vehicles department, business registration and licensing center, \*Sub HB 120, Ch. 319 1st Ex.
- Natural resources department, emergency cloud seeding, \*SB 2561, Ch. 3
- Natural resources department, Mount Si conservation area, \*Sub HB 837, Ch. 306 1st Ex.
- Oceanographic commission, liquefied gas hazards management study, HB 1307, \*SB 3015, Ch. 315 1st Ex. PV
- Outdoor recreation interagency commission, performing arts park, HB 777
- Outdoor recreation interagency, off-road vehicle plan, HB 721, \*SB 2472, Ch. 220 1st Ex.
- Parks and recreation commission, boating safety, HB 1318
- Parks and recreation commission, state parks, campsite reservation system, HB 37
- Parks and recreation commission, state parks, mounted rangers, HB 41
- Personnel department, civil service employees, career development, 2nd Sub HB 63
- Personnel department, permanent, part time employment, HB 1139
- Public disclosure commission, governmental ethics, Sub HB 1327
- Rail passenger service advisory committee, HB 315
- Revenue department, corporate franchise privilege tax, Sub HB 1106
- Revenue department, income tax code administration, Sub HB 1144
- Salmon fishing, commercial, regulated licensing, HB 273
- Senior citizens services act, revisions, \*2nd Sub HB 251, Ch. 321 1st Ex.
- Small business committee, created, \*Sub HB 27, Ch. 70 1st Ex.
- Social and health department, municipal health funding, HB 814
- Social and health services department, criminal justice, 2nd Sub HB 307
- Social and health services department, juvenile services, \*2nd Sub HB 874, Ch. 307 1st Ex.
- Social and health services department, nursing homes pharmacy consulting services, HCR 8
- Social and health services department, sexually transmitted diseases, Sub HB 333
- Social and health services department, unemployed, employable persons, Sub HB 688
- Social and health services department, utility assistance expenses, HB 93
- Social and health services department, victims of sexual assault act, Sub HB 820
- Solar energy, heating, cooling systems, state owned, financed buildings, HB 364
- State elected officials, salaries, \*2nd Sub HB 1306, Ch. 318 1st Ex.
- State government, sundry claims, Sub HB 1033
- Statute law committee, register created, \*2nd Sub SB 3067, Ch. 240 1st Ex.
- Statute law committee, session laws, publication, \*HB 573, Ch. 23 1st Ex.
- Superintendent of public instruction, achievement tests, grades 8 and 11, Sub HB 226
- Superintendent of public instruction, bilingual instruction act, Sub HB 480
- Superintendent of public instruction, student transportation, \*SB 3019, Ch. 12 1st Ex.
- Superintendent of public instruction, child care facilities, HB 811
- Superintendent of public instruction, counseling and guiding program, HB 567
- Superintendent of public instruction, educational clinics, aid, Sub HB 66
- Superintendent of public instruction, interstate compact, school bus safety, \*SB 2437, Ch. 88 1st Ex.
- Superintendent of public instruction, learning/language disabilities, HB 1174
- Superintendent of public instruction, learning objectives, Sub SB 2952, \*Sub HB 697, Ch. 305 1st Ex.
- Superintendent of public instruction, proven educational practices (PEP) act, Sub HB 1203
- Superintendent of public instruction, remedial reading program, 2nd Sub HB 1147
- Superintendent of public instruction, desegregation program, Sub SB 2115, HB 132
- Superior courts, judges, certain counties, number increased, \*Sub SB 2143, Ch. 311 1st Ex.
- Toll bridge authority, ferry, terminal construction, \*Sub HB 980, Ch. 360 1st Ex.
- Toll bridge authority, Fletcher Bay-Brownsville, study, HB 1301
- Toll bridge authority, 1977-79 biennium, \*Sub SB 2543, Ch. 333 1st Ex.
- Traffic safety commission, bicycle use, HB 708
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- Women's commission created, \*2nd Sub HB 449, Ch. 288 1st Ex.

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- School employees, impasse mediation, fact finding, HB 1362
- Supreme court, uniform rules, superior courts, certain causes, HB 1329
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- Archaeology and historic preservation office, created, \*Sub HB 70, Ch. 195 1st Ex.
- Bonds, general obligation, planning, acquisition, construction, HB 1135
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- Arson investigation, state patrol identification section records, \*HB 199, Ch. 30 1st Ex.
- Criminal code clarification, Sub HB 453

**ARTS AND ARTS COMMISSION**

- Duties transferred, cultural resources department, HB 944
- Pacific Northwest festival facility, Sub HB 777
- Performing, visual arts, facilities, general obligation bonds, HB 1135

**ASIAN-AMERICANS AND ASIAN-AMERICAN AFFAIRS COMMISSION**

- Citizens affairs, governor's office, created, HB 705
- Continued, expiration date, appropriation, \*Sub HB 138, Ch. 297 1st Ex.

**ASSAULT**

- Death, second, third degree assault, HB 1245

**ASSESSMENTS**

- Corporations, nonprofit, schools, tax exemptions, HB 650
- Farmland, open space classification, 2nd Sub HB 766
- Forest protection, \*HB 298, Ch. 102 1st Ex.
- Forest lands, new owners, approval notices, HB 774
- Insurance guaranty association, \*HB 1262, Ch. 183 1st Ex.
- Local improvement districts, HB 465
- Property, real, current use basis, HJR 16
- Property, real, indicated ratio, \*Sub SB 2502, Ch. 284 1st Ex.
- Property, real, new construction, HB 590
- Sewer, water, hook-up charges, HB 475, \*Sub HB 30, Ch. 72
- Trees, soft fruit, certain, \*SB 2447, Ch. 8 1st Ex.

**ASSOCIATIONS**

- Associated student body funds, HB 626
- Associated student body program fund, separate accounts, \*Sub SB 2811, Ch. 160 1st Ex.
- County officials, counties, merger, \*SB 2111, Ch. 221 1st Ex.
- Employer groups, industrial insurance coverage, HB 1364
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- School directors, members, annual election requirements, HB 754

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- Code, technical corrections, \*HB 176, Ch. 9

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- Energy emergency supply alert, \*Sub HB 928, Ch. 328 1st Ex. PV
- Environmental counsel, appointment, \*Sub SB 2910, Ch. 371 1st Ex. PV
- Grand jury, state, impanelment procedures, HB 1354
- Oil transfer facility, construction, HB 1420, \*Sub HB 743 V
- PERS board, membership deleted, \*HB 657, Ch. 34 1st Ex.
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**WEIGHTS AND MEASURES**

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