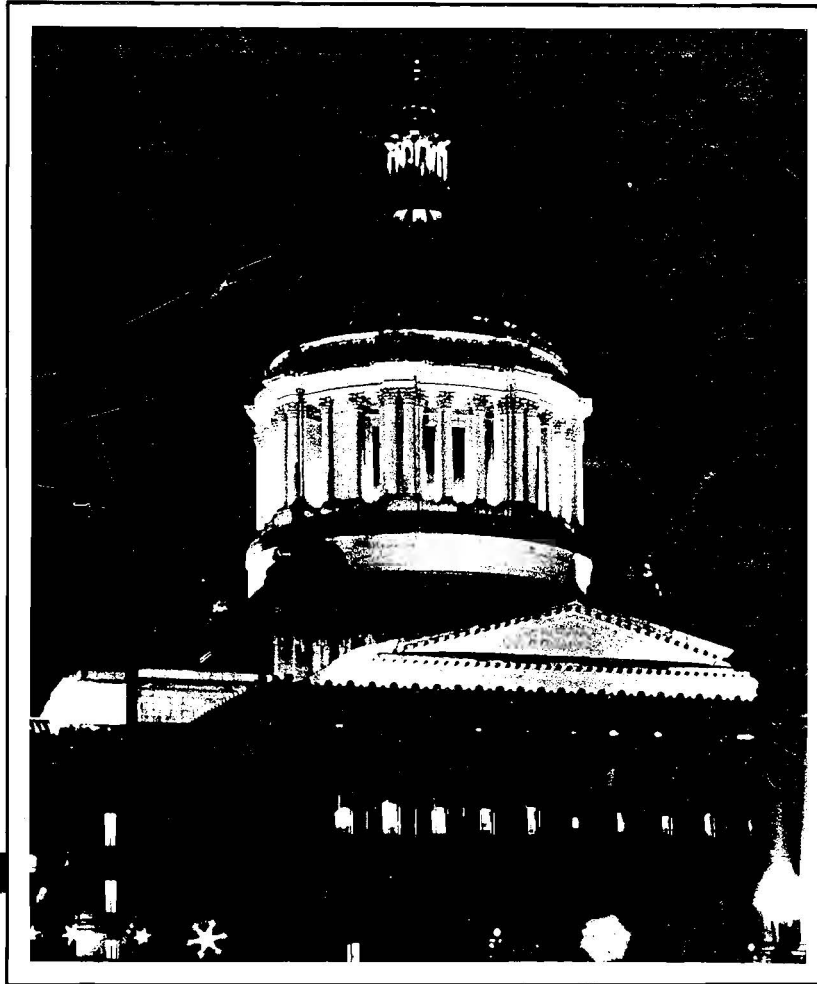


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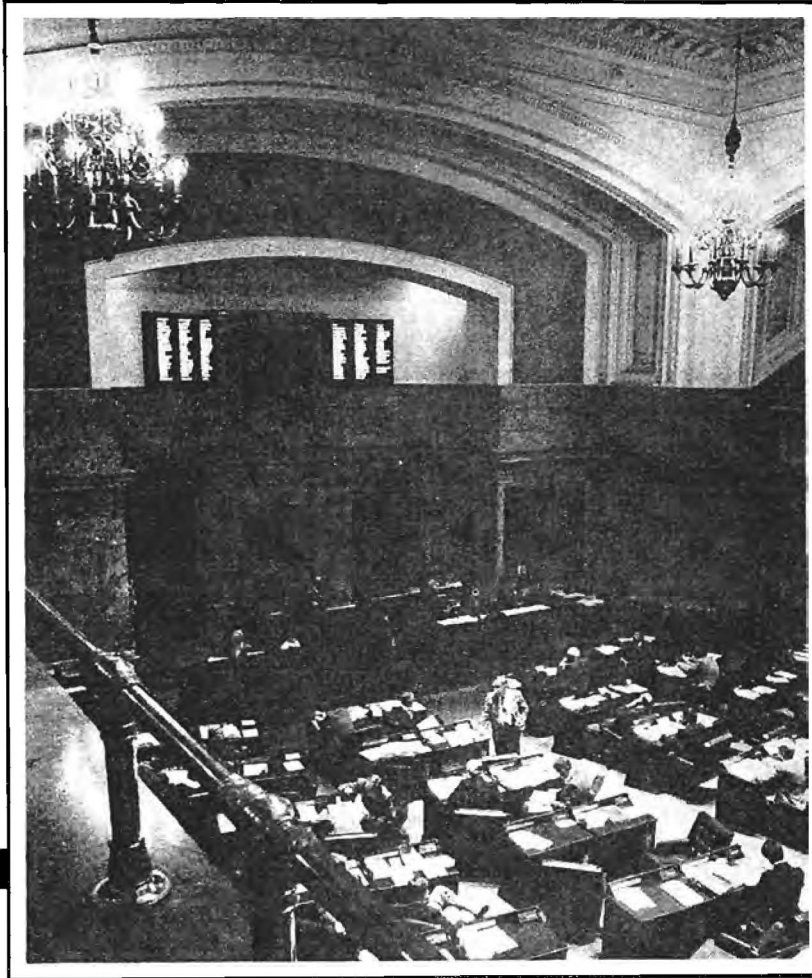


# LEGISLATIVE REPORT

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FORTY-EIGHTH LEGISLATURE OF WASHINGTON STATE

FINAL



# LEGISLATIVE REPORT

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FORTY-EIGHTH LEGISLATURE OF WASHINGTON STATE

Regular, First and Second Special Sessions

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Olympia, Washington 98504  
(206) 753-0520

**The Senate Committee Services**

101 Senate Office Building  
Olympia, Washington 98504  
(206) 753-6826

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# WASHINGTON STATE LEGISLATURE

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

June 1983

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

This final edition of the **Legislative Report** is a summary of legislative action during the 1983 Regular, First and Second Special Sessions of the 48th Legislature. It provides brief descriptions of legislation which passed the Legislature, budget highlights and a record of all gubernatorial actions.

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

Sincerely,

R. Ted Bottiger  
Senate Majority  
Leader

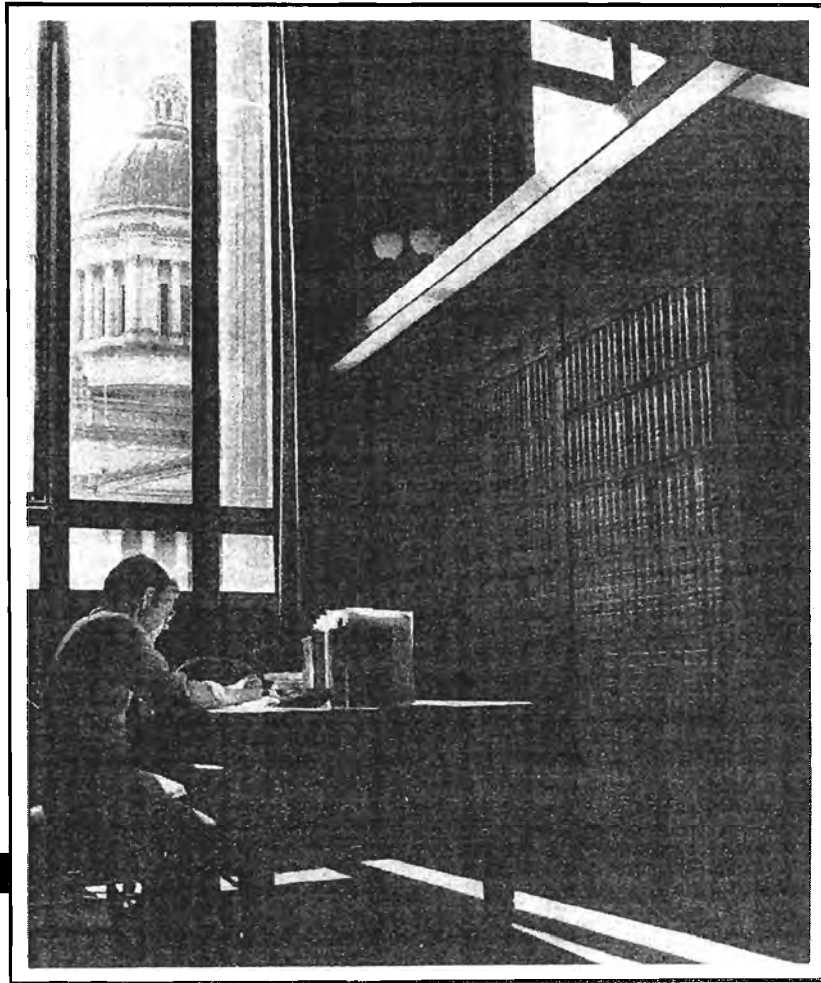
Wayne Ehlers  
Speaker of the  
House of Representatives

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# Statistical Summary

**1983  
REGULAR, FIRST AND SECOND SPECIAL SESSIONS  
OF THE  
48<sup>TH</sup> LEGISLATURE**

**Bills Before Legislature**

	Introduced	Passed Legislature	Vetoed	Partially Vetoed	Enacted
<b>REGULAR SESSION</b> (January 10 – April 24)					
House	1,100	175	8	4	167
Senate	1,278	151	3	8	148
<b>LEGISLATURE</b>	<b>2,378</b>	<b>326</b>	<b>11</b>	<b>12</b>	<b>315</b>
<b>FIRST SEPCIAL SESSION (E1)</b> (April 25 – May 24)					
House	--	41	2	6	39
Senate	--	38	1	3	37
<b>LEGISLATURE</b>	<b>--</b>	<b>79</b>	<b>3</b>	<b>9</b>	<b>76</b>
<b>SECOND SPECIAL SESSION (E2)</b> (May 25 Only)					
House	--	1	0	0	1
Senate	--	2	0	1	2
<b>LEGISLATURE</b>	<b>--</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>3</b>
<b>TOTAL</b> (Regular, First & Second Special Sessions)					
House	1,100	217	10	10	207
Senate	1,278	191	4	12	187
<b>TOTAL</b>	<b>2,378</b>	<b>408</b>	<b>14</b>	<b>22</b>	<b>394</b>

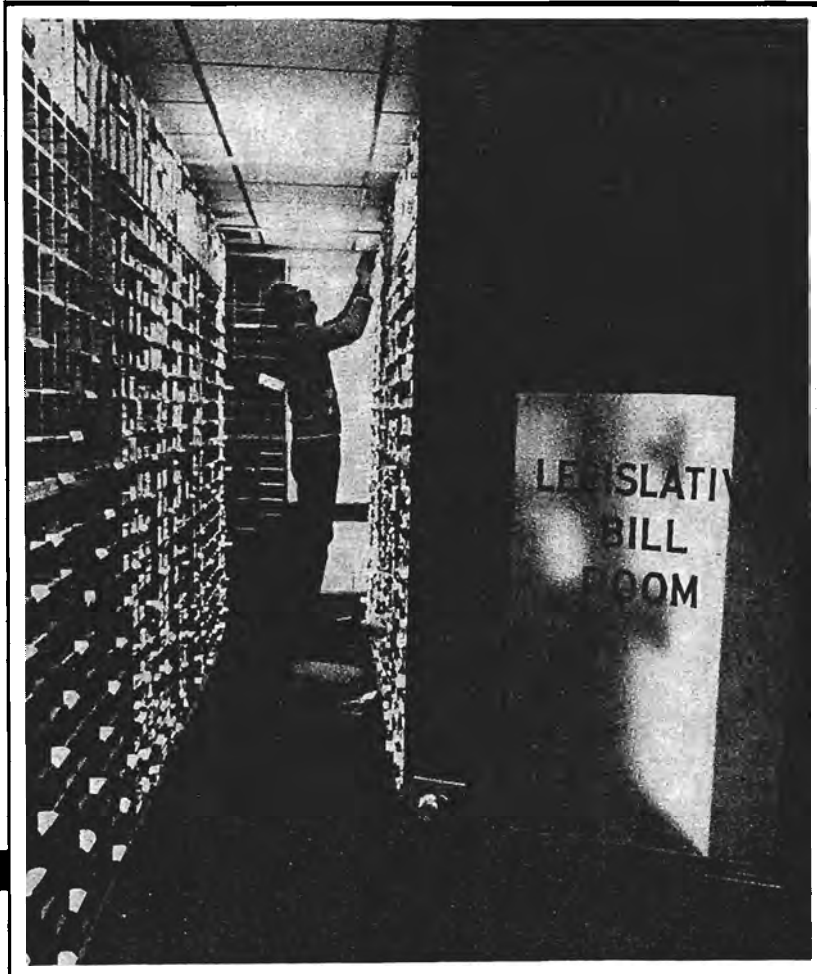
**Joint Memorials, Joint Resolutions and  
Concurrent Resolutions Before the Legislature**

	Introduced	Filed with Secretary of State
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<b>LEGISLATURE</b>	<b>189</b>	<b>35</b>

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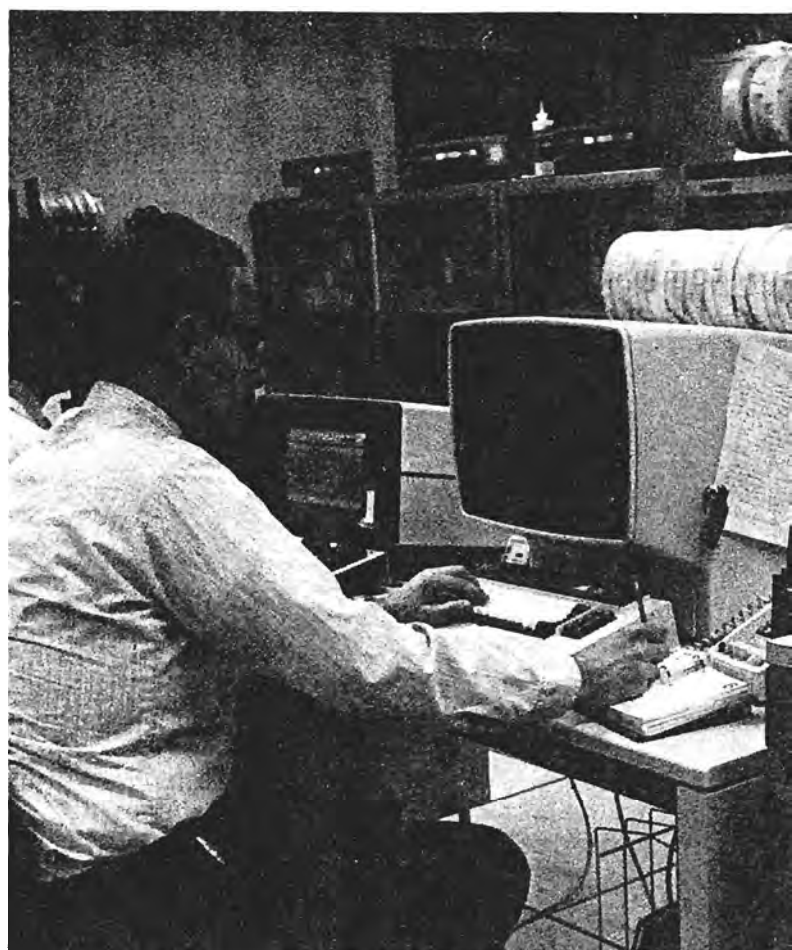
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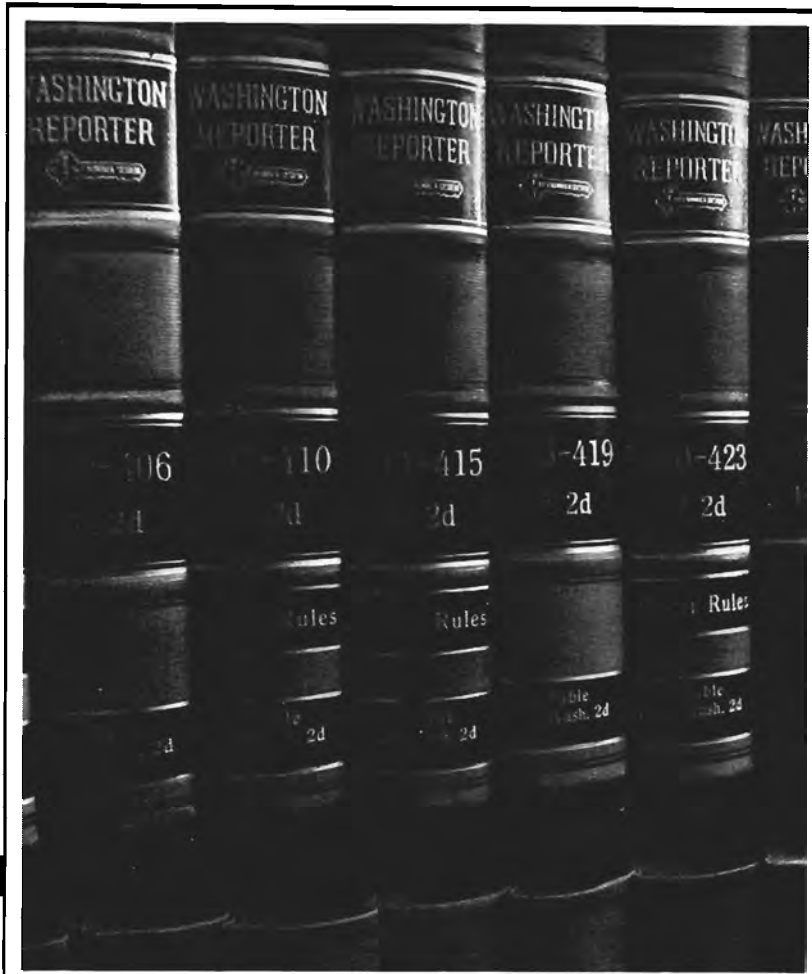
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**HB 1**

C 1 L 83

By Representatives Brekke, King, R., Vekich, Wang, Lewis, Sutherland, Tanner, Johnson, Fisch, Rust, B. Williams, Patrick, Isaacson, Halsan, Martinis, Locke, Silver, Todd, Jacobsen, Lux, Long, and Ebersole

Modifying trigger for extended unemployment benefits to re-comply with optional federal benefit program.

House Committee on Labor

Senate Committee on Commerce & Labor

**BACKGROUND:**

Unemployment compensation benefits are funded from several different sources. Some benefits are totally state funded, some are totally federally funded, and others are funded with a mix of state and federal funds. At the present time, "regular" unemployment compensation benefits (100% state funded) are available to workers for 26 weeks. "Extended" benefits (50% federally funded) are available for an additional 13 weeks. These "extended" benefits are available because the present "insured" unemployment rate satisfies the requirements of the extended benefit trigger contained in state law.

Federal law gives the states two choices regarding triggers for the payment of "extended" benefits. The states may choose between a more restrictive trigger (commonly referred to as the "mandatory" trigger) and a less restrictive trigger (commonly referred to as the "optional" trigger). State law currently contains the more restrictive trigger. This "mandatory" trigger provides that extended benefits will be paid if the "insured" unemployment rate for the last 13 weeks is at least: a) 5%; and b) 120% of the average of the corresponding 13 week periods in the previous two calendar years.

The Employment Security Department predicted that extended benefits trigger "off" in February or March of 1983 if the "mandatory" trigger were still in place at that time.

**SUMMARY:**

The "optional" trigger for extended benefits is adopted. Extended benefits will be triggered "on"

if the insured unemployment rate for the previous 13 weeks: (a) meets the requirements of the "mandatory" trigger described above (5% and 120% of the corresponding 13 week period in the previous two years) OR (b) is at least 6%.

This optional trigger will remain in effect only until April 30, 1984.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	47	0

EFFECTIVE: January 28, 1983

**SHB 16**

C 69 L 83

By Committee on Ways & Means (Originally sponsored by Representatives Heck, Hastings, Grimm, Patrick, Monohon, Vekich, Wang, Lewis, Wilson, G. Nelson, Rust, Garrett, Tanner, Martinis, Addison, Haugen, Ballard, Schoon, Miller, Moon, Mitchell, Nealey, Holland, Allen, Isaacson, Tilly, Todd, P. King, Ristuben, Smitherman, Zellinsky, Jacobsen, Hankins, Ellis, McMullen, Chandler, Burns and Ebersole)

Modifying the determination of school district employees' service periods under the public employees retirement systems.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

Each member of the public employees retirement system (PERS) must work a minimum number of hours in a month to be given retirement service credit for that month. The minimum number is either 70 or 90 hours depending upon the employee's date of membership in PERS - Plan I is membership established prior to October 1, 1977; Plan II is membership established on or after October 1, 1977. Members employed by school districts, the state schools for the blind and for the deaf, state universities and colleges, and the community colleges receive 12 months of service even though they only work the nine months of the school year. Plan I members must have nine continuous credited service months in order to receive credit

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## SHB 16

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service for twelve months. One requirement for membership in PERS is that an employee be in an eligible position for five or more continuous months a year.

When schools close for vacation periods, for example, Christmas and Spring Break, certain employees, particularly part-time employees, may not be able to work the 70 to 90 hours required to earn service credits in the month containing these vacations. This causes a loss of service credit for those months, thus breaking the 5 continuous months membership eligibility standard and/or the 9 continuous months requirement to obtain 12 months of service credits.

### SUMMARY:

In any month during the regular school year in which a school is closed for vacation period of five days or more, a public employees retirement system member receives a month's service credit if the member was either employed or in a paid-leave status for a minimum number of hours each day the school was open, or received compensation for service averaging the minimum number of hours for each such day. The minimum number is 3.5 hours a day for Plan I members and 4.5 hours a day for Plan II members, which corresponds to the monthly 70 and 90 hour requirements.

### VOTES ON FINAL PASSAGE:

House	84	0
Senate	46	0

EFFECTIVE: July 24, 1983

## SHB 20

C 6 L 83

By Committee on Constitution, Elections & Ethics  
(Originally sponsored by Representatives Pruitt, R. King, Vekich, Sommers, Jacobsen, Ristuben, P. King, Charnley, Fisch, Rust, Moon, Halsan, Locke, Tanner, Armstrong, Powers, Todd, Fisher, Hine, Ellis, Kaiser and Burns)

Establishing a temporary congressional redistricting commission.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

### BACKGROUND:

In its decision in the case of Doph, et al, v. Munro, et al., a three-judge federal court found the state's Congressional districting plan to be unconstitutional and directed that a new Congressional districting plan be developed within 90 days of the beginning of the 1983 Regular Session.

### SUMMARY:

A temporary Congressional Redistricting Commission is created. The Commission is composed of 5 members selected as follows: each leader of the two largest political parties in each house of the Legislature shall appoint one person; and these 4, by an affirmative vote of 3, shall select a fifth member. The fifth member serves as chairman and is a non-voting member. Certain restrictions are placed on the activities of Commission members and persons selected or employed by the Commission.

The Commission shall provide for the development of, and shall adopt a, Congressional redistricting plan. It shall select a competent person or persons to prepare the plan and may employ support staff. The Commission shall publish a report with the plan including the population, and percentage deviation from the average district population, for every district.

The Commission's plan shall provide for districts which have populations as nearly equal as is practicable. To the extent consistent with this requirement regarding population: district lines should be drawn to coincide with the boundaries of local political subdivisions and areas of community interest; and districts should be composed of convenient, contiguous and compact territory. Whenever practicable, a precinct shall be wholly within a single Congressional district. No district may be drawn to favor a political party, incumbent or other person or group or to dilute the voting strength of a language or racial minority group.

The Commission shall adopt the plan within 30 days of the effective date of this act, with the approval of 3 voting members. Within 2 days of its adoption, the plan must be submitted in bill form to the Legislature. The Legislature may adopt or amend the plan within 15 days of its being submitted. The amendment must be approved by a 2/3 majority in each house and may not affect more than 1% of the population of any Congressional district in the plan. If the Commission fails to

approve and submit a plan or the Legislature fails to enact the plan within the time provided, the federal court retaining jurisdiction is requested to adopt a plan by April 10, 1983.

The Commission ceases to exist 45 days after the date provided for the submission of the plan.

Agency or Committee Created/Eliminated Congressional Redistricting Commission.

Termination Date: The Commission ceases to exist 45 days after it submits the plan to the legislature.

#### VOTES ON FINAL PASSAGE:

House	83	13	
Senate	37	11	(Senate amended)
Senate	29	20	(Senate receded)
House	85	12	

EFFECTIVE: February 9, 1983

### HB 23

C 170 L 83

By Representatives R. King, Clayton and Gallagher  
(By Department of Labor and Industries Request)

Permitting common carriers in only interstate and/or foreign commerce to elect coverage under industrial insurance law.

House Committee on Labor

Senate Committee on Commerce and Labor

#### BACKGROUND:

Until 1982, common or contract carriers engaged in a combination of intrastate and interstate or foreign commerce were mandatorily covered by the industrial insurance law. Due to a drafting error in legislation intended to correct a different problem, coverage for these "combination" carriers became optional. The Department of Labor and Industries believes that "combination" carriers should come under the mandatory coverage provisions.

Common or contract carriers that engage exclusively in interstate and/or foreign commerce are presently unable to obtain worker compensation coverage for their employees through this state.

In 1982, an owner-operator of a truck which is leased to a common or contract carrier was made exempt from the definition of "worker." There has been some question, however, about the ability of an owner-operator who is a sole proprietor to elect industrial insurance coverage. This is particularly true for those owner-operators engaged exclusively in interstate and/or foreign commerce.

#### SUMMARY:

Common or contract carriers domiciled in this state that are engaged exclusively in interstate and/or foreign commerce may elect coverage for their employees.

Statutory language is removed which made industrial insurance coverage optional for "combination" carriers.

An owner-operator domiciled in this state is entitled to elect industrial insurance coverage regardless of the type of commerce engaged in, whether or not the truck is leased to a common or contract carrier.

#### VOTES ON FINAL PASSAGE:

House	93	0	
Senate	45	0	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: May 16, 1983

### SHB 24

C 21 L 83

By Committee on Labor (Originally sponsored by Representatives R. King, Clayton, McMullen, Gallagher and Belcher, and By Department of Labor and Industries Request)

Allowing the department to take disciplinary action against self-insured employers.

House Committee on Labor

Senate Committee on Commerce and Labor

#### BACKGROUND:

State law permits qualified employers to be certified as "self-insurers" for workers' compensation purposes. The law requires the director of the Department of Labor and Industry to decertify a self-insurer under certain circumstances (e.g. if

the self insurer "habitually" fails to comply with departmental rules). The law does not give the department the discretion to take less severe disciplinary actions against self-insurers (such as applying probationary certification) in these circumstances, although self-insurers may be fined for certain actions.

**SUMMARY:**

The Department of Labor and Industries is required to take "corrective action" against a self-insurer if: a) the employer is not following proper industrial insurance claims procedures; or b) the employer's accident prevention program is inadequate; or c) any condition which could require decertification of the employer is present (e.g. habitual failure to comply with departmental rules).

Corrective actions which may be taken by the director include: a) probationary certification; b) mandatory training for employers; and c) increased monitoring of the employer's activities.

The department is required to adopt rules defining the type of corrective action which may be taken in response to a given condition.

**VOTES ON FINAL PASSAGE:**

House 92 0  
Senate 45 0

**EFFECTIVE:** July 24, 1983

**HB 25**

C 86 L 83

By Representatives R. King and Clayton (By Department of Labor and Industries Request)

Clarifying the requirements for vocational rehabilitation.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

The Department of Labor and Industries' Office of Rehabilitation Review is required to establish procedures for the registration of rehabilitation counselors. The law does not specifically provide for the registration of rehabilitation firms, however.

The law establishes a set of "priorities" to be considered in the rehabilitation of injured workers.

There is confusion in respect to the manner in which industrial insurance appeals are made.

**SUMMARY:**

The Office of Rehabilitation Review is directed to establish procedures for the registration of rehabilitation firms, as well as individual counselors.

The list of priorities to be considered in the rehabilitation of injured workers is expanded to include the following priority: The return of an injured worker to his or her previous occupation but with a new employer.

"Expedited appeals" to the Board of Industrial Insurance Appeals are to be filed within fifteen working days after receipt of a decision by the supervisor of industrial insurance (rather than fifteen days after the receipt of a decision by the Office of Rehabilitation Review.)

**VOTES ON FINAL PASSAGE:**

House 98 0  
Senate 42 0 (Senate amended)  
House 95 0 (House concurred)

**EFFECTIVE:** April 22, 1983

**HB 32**

C 37 L 83

By Representative Lux

Modifying provisions regarding credit union regulations.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

The Supervisor of the Division of Savings and Loans has regulatory authority over state-chartered credit unions and savings and loan associations. The Supervisor is authorized to issue cease and desist orders to state savings and loan associations which are engaged in unsafe, unsound, or illegal business practices.

The law permits a person to be the authorized voting agent for more than one credit union. Thus, it allows for a concentration of voting power.

Recently, important changes have been made in federal laws regulating federally chartered credit unions; federally chartered credit unions are not required to form and utilize a credit review committee; they are not subject to expense ratio limitations; and they may elect both a chairperson and a president.

The state credit union law is unclear as to the Supervisor's authority to permit the pooling of assets between merging credit unions.

**SUMMARY:**

The Supervisor is authorized to order credit unions to cease and desist from engaging in unsafe, unsound, or illegal business practices. The procedural requirements for such orders are established.

Voting rights of organizations which are credit union members are amended to require that the authorized agent of a voting organization be an officer of that voting organization.

A credit union is no longer required to establish a credit review committee.

The Supervisor is authorized to approve credit union expense ratios in excess of the statutory limit of 7.5 percent.

Credit unions are permitted to elect a chairperson in addition to a president.

The Supervisor is permitted to approve the pooling of assets from a financially distressed credit union with the merging credit union.

**VOTES ON FINAL PASSAGE:**

House	94	0	
Senate	46	0	(Senate amended)
House	96	0	(House concurred)

**EFFECTIVE:** April 19, 1983

**HB 35**

C 87 L 83

By Representatives Kaiser, West, Nealey, Broback, Isaacson, Silver, Bond, Ballard, Addison, Struthers, R. King, Allen, Smith and Dickie

Authorizing cities or towns to receive payment from state agencies for fire protection services.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Existing law requires state agencies to contract with cities and towns for providing fire protection services for state buildings and equipment located in the city or town.

**SUMMARY:**

The existing requirement that state agencies contract with cities and towns for fire protection services does not prohibit other contractual agreements to compensate for the provision of fire protection services that were established before this statutory requirement, or which are mutually agreed upon by the state agency and city or town, if the required initial contract is inadequate.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	46	0

**EFFECTIVE:** July 24, 1983

**HB 36**

C 88 L 83

By Representatives Hastings, Hine, Isaacson and Mitchell

Modifying provisions relating to the formation of sewer districts.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

Existing law provides for two methods of forming a sewer district. One is initiated by a petition signed by at least 25% of the qualified voters residing in the proposed district. The other is initiated by the county legislative authority adopting a resolution declaring a sewer district necessity because of inadequate sewerage disposal facilities. Under either method, if the county legislative authority finds that formation of the proposed district is in the public interest, it causes an election to be held where a question on whether or not to form the district is submitted to the voters residing in the proposed district.

SUMMARY:

A new method of creating a sewer district would be established. Under this method owners of at least 60% of the land area proposed to be included in a proposed sewer district sign a petition proposing the creation of the district. If the petition is signed by the requisite property owners, the petition is forwarded to the county legislative authority for its approval or disapproval of the proposed incorporation pursuant to existing procedures. The initial sewer district commissioners are to be elected at an election whenever the county auditor determines that three or more registered voters reside in the district.

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 46 0

EFFECTIVE: July 24, 1983

**SHB 37**

C 89 L 83

By Committee on Agriculture (Originally sponsored by Representatives Sommers, Hastings, Kaiser, Prince, Galloway, Zellinsky, Johnson, Isaacson and Clayton)

Modifying the regulation of the size and weight of bread loaves.

House Committee on Agriculture

Senate Committee on Agriculture

BACKGROUND:

State law designates the Director of Agriculture as the state sealer of weights and measures. Among the statutes administered by the Department are those requiring loaves of bread sold in this state to satisfy certain weight and size requirements.

SUMMARY:

Weight requirements for a "standard partial loaf" of bread are established.

The following are exempted from the requirements of state law that bread baked for sale be baked in pans or forms of specific sizes: standard partial loaves of bread and odd-shaped, ethnic, or specialty loaves.

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 43 3

EFFECTIVE: July 24, 1983

**SHB 39**

PARTIAL VETO

C 27 L 83 E1

By Committee on State Government (Originally sponsored by Representatives Walk, Lewis, Dickie, Brough, Miller, Sayan, Nealey, Hankins, Isaacson, Silver, Hastings, Addison, Tilly, Struthers, Mitchell, Allen, J. Williams, Barrett and Clayton)

Modifying sunset review procedures.

House Committee on State Government

Senate Committee on State Government

BACKGROUND:

Language now in the Washington Sunset Act of 1977 states that, following receipt of the audit report on a sunsetted agency, the respective rules committees are to refer the audit to the appropriate standing committee in each House of the legislature. Those committees are then required to hold a joint hearing to review the agency and the auditors' recommendations. The agencies must be re-authorized by statute prior to the date established for termination, or lose authorization and

cease to exist following a one-year wind-down period beyond the termination date. Agencies which are continued by the legislature can only be re-authorized for up to six years, at which time they must again go through the sunset process.

The development of legislation providing a schedule of sunset review and termination of agencies is the responsibility of a Select Joint Committee on Sunset. The Select Committee was created in 1977, and because the Sunset Act was originally set to expire in 1984, the Act contains no formal schedule for reappointment of Select Committee members. It also lacks a formal mechanism for selection of a chairperson.

The Escrow Commission was terminated under the Sunset Act on June 30, 1982. The Washington State Supreme Court has set aside as unconstitutional a statute permitting escrow agents to prepare certain kinds of legal documents. The court viewed the statute as permitting agents to practice law and held that only the court can authorize someone to practice law. The court has subsequently assumed the responsibility of regulating the activities of escrow agents through the issuance of Limited Practice Rule 12.

#### SUMMARY:

The process by which sunset audits are referred to standing committees is changed, so that it conforms with the process by which bills are ordinarily referred to committee. The joint hearing with Senate and House standing committees is optional. The legislature may shorten the wind-down period provided for an agency to conclude its affairs, and the legislature may extend a re-authorized agency without further sunset review for any period of time it deems appropriate. When reviews of reestablished regulatory entities are conducted, the Legislative Budget Committee may use a streamlined set of criteria in performing its audit.

Members of the Select Joint Committee on Sunset are to be appointed prior to the close of the 1983 Regular Session, and at two-year intervals thereafter. A chairperson is to be selected by a majority of the Select Committee. The responsibilities of the Select Committee are updated to include monitoring and modifying the sunset schedule and implementation of the Act.

The Escrow Commission is created. The Commission will consist of the members of the Limited Practice Board created by the Supreme Court.

Escrow agents must be certified by the Supreme Court before they can engage in certain activities. Conflicts between the statute law regulating escrow agents and the rules of the Escrow Commission are to be resolved in favor of the orders or rules of the Escrow Commission

#### VOTES ON FINAL PASSAGE:

##### Regular Session

House	94	0	
Senate	48	0	(Senate amended)
House			(House concurs in part; refuses others)

##### First Special Session

House	92	2	
Senate	42	2	(Senate amended)
House			(House concurs in part; refuses others)
Senate	48	0	(Senate recedes)
House	90	0	

EFFECTIVE: May 14, 1983

#### PARTIAL VETO SUMMARY:

The Governor vetoed sections which would have created the Escrow Commission to regulate the activities of escrow agents. Activities of escrow agents will continue to be regulated by the Supreme Court through the application of Limited Practice Rule 12.

## SHB 43

C 43 L 83 E1

By Committee on Social & Health Services (Originally sponsored by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sayan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Dellwo, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton)

Making \$500 the maximum deduction for medically needy people seeking care under the limited casualty program.

House Committee on Social & Health Services



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**SHB 43**

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Senate Committee on Social & Health Services and  
Ways & Means

**BACKGROUND:**

The state funded Medically Indigent program was established to serve indigent persons with acute and emergent medical needs who are not eligible for a federal aid program. The law stipulates that medically indigent persons shall satisfy a deductible of not less than \$500 in any 12-month period. The deductible is set at \$1500 under a rule adopted by the Department of Social and Health Services.

The date on which an applicant for assistance becomes eligible to receive it is the date on which the application is made. However, an applicant may also be considered "eligible" during the seven-day period prior to the application date.

**SUMMARY:**

The deductible which a person on the Medically Indigent program is required to meet is established as a maximum of \$500 and a minimum of \$100. Eligibility for medical assistance under the general assistance program begins with the date the department approves the application for assistance, and the seven-day period of retroactive eligibility is eliminated. The act takes effect on July 1, 1983.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>			
House	93	0	
<u>First Special Session</u>			
House	94	0	
Senate	46	1	(Senate amended)
House			(House refused to concur)
Senate			(Senate receded)
House	95	0	

**EFFECTIVE:** July 1, 1983

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**SHB 44**

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C 171 L 83

By Committee on Local Government (Originally sponsored by Representatives P. King, Crane, Todd and Allen)

Modifying provisions relating to county-owned solid waste facilities.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Cities and towns generally possess the authority to impose business and occupation (B&O) taxes on any business activity or occupation performed within their boundaries and to impose utility taxes on any utility business activities within their boundaries. Such taxes may be imposed on "proprietary" functions of government, including the provision of electricity, sewers, etc. Last year legislation was enacted which removed the authority of cities and towns to tax county-owned solid waste disposal facilities, but permitted cities and towns to impose charges to mitigate impacts directly attributable to such facilities. The charges could only be used to fund the mitigation of such impacts.

**SUMMARY:**

A process is established to arbitrate disagreements over the amount of impact charges that a city is attempting to impose on a county operating a solid waste disposal facility in the city. The arbitration process is initiated after a reasonable period of good faith negotiations, including mediation where appropriate. A board of arbitrators would be established, with one representative from the city, one representative from the county, and a third to be appointed by the other two. If no agreement can be reached on a third representative, a local superior court judge will appoint the third representative. The decision of the board of arbitrators is binding on all parties.

**VOTES ON FINAL PASSAGE:**

House	89	3	
Senate	43	2	(Senate amended)
House	95	1	(House concurred)

**EFFECTIVE:** July 24, 1983

**SHB 47**

C 22 L 83

By Committee on Local Government (Originally sponsored by Representatives Garrett, Walk, Hankins, Johnson, Stratton and Hine)

Extending and modifying the municipal research council.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Existing law establishes the Municipal Research Council, and provides for the appointment of 18 members to the council. The council contracts with a non-profit research bureau for the provision of municipal research services. The council receives its funds from a portion of the state motor vehicle excise tax receipts distributed to cities and towns. The council is on the Sunset review process and is scheduled for termination on June 30, 1983.

**SUMMARY:**

The sunseting of the Municipal Research Council is deferred until June 30, 1989. Language is stricken that relates to the original constituting of the council. Council administrative expenses would be allowed to be paid from the motor vehicle excise tax receipts allocated to the research council. Appropriated funds to the council would not be subject to the allotment process governing most other state funds.

Termination Date: June 30, 1989

**VOTES ON FINAL PASSAGE:**

House	90	0
Senate	42	0

**EFFECTIVE:** June 30, 1983

**SHB 51**

C 56 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Grimm, Cantu, McMullen, Ristuben, Miller, Sayan, Stratton, Nealey, Powers, Appelwick, Locke, Holland,

Zellinsky, Isaacson, Braddock, P. King, Haugen, Wang, Sutherland, Addison, Walk, Struthers, R. King, Garrett, Belcher, D. Nelson, O'Brien, Hine, Tanner, Smith, Dickie, West, Todd, Moon and Armstrong, and By Governor Spellman Request)

Providing for postretirement adjustments.

House Committee on Ways and Means

Senate Committee on Rules

**BACKGROUND:**

The following retirement systems for public employees have no effective mechanism for automatically adjusting the post-retirement benefits: (1) Judges' Retirement System; (2) higher education faculty retirement programs; (3) Teacher's Retirement System; (4) Public Employees' Retirement System; and, (5) Washington State Patrol Retirement System.

Members of these systems who are receiving retirement benefits have had the purchasing power of their benefits reduced by inflation.

In 1979, the legislature, recognizing the impact of inflation, passed a law providing post-retirement adjustments to eligible members of those retirement systems.

In 1983, the legislature passed Substitute House Bill 495 which was also designed to provide for post-retirement adjustments. That bill, however, contained a serious technical error and was therefore vetoed.

**SUMMARY:**

Post retirement increases are provided to eligible retirees under the: (1) Judges' Retirement System; (2) higher education faculty retirement programs; (3) Teachers' Retirement System; (4) Public Employees' Retirement System; and (5) Washington State Patrol Retirement System. For those eligible, there is granted a permanent increase in the monthly benefits by a post-retirement adjustment of \$0.74 per month for each year of membership. The adjustment is effective July 1, 1983. To be eligible for the adjustment, the person must either: (1) be receiving a non-service (disability or survivor) benefit as of December 31, 1982; or (2) be receiving a service retirement benefit as of July 1, 1978.

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## SHB 51

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Appropriation: \$3,600,000 of which \$3,561,000 is General Fund—state and \$39,000 is Motor Vehicle Fund moneys.

### VOTES ON FINAL PASSAGE:

<u>First Special Session</u>		
House	95	0
Senate	40	3

EFFECTIVE: July 1, 1983

## SHB 55

C 57 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Grimm and Cantu, and By Governor Spellman Request)

Adopting the capital budget.

House Committee on Ways & Means

Senate Committee on Ways & Means

### SUMMARY:

Adopting the 1983–85 capital budget.

### VOTES ON FINAL PASSAGE:

<u>First Special Session</u>		
House	55	40
Senate	29	19 (Senate amended)
House		(House refuses to concur)

### Free Conference Committee

Senate	29	16
House	61	34

EFFECTIVE: July 1, 1983

## HB 56

C 58 L 83 E1

By Representatives Grimm, Cantu, Powers and Charnley (By Governor Spellman Request)

Authorizing bonds for capital improvements for institutions of higher education.

House Committee on Ways & Means

### BACKGROUND:

A bond issue to fund capital improvements for institutions of higher education, including community colleges, is required to carry out the purposes of the capital budget.

### SUMMARY:

The State Finance Committee is authorized to issue \$11,250,000 of general obligation bonds to finance capital improvement projects for institutions of higher education, including community colleges. The proceeds of the bond issue are to be deposited into the state higher education construction account subject to legislative appropriation.

The state higher education bond retirement fund of 1977 is to be used for the payment of principal and interest on the bonds.

### VOTES ON FINAL PASSAGE:

<u>First Special Session</u>		
House	71	24
Senate	32	17

EFFECTIVE: August 23, 1983

## SHB 57

C 54 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Grimm and Cantu, and By Governor Spellman Request)

Authorizing bonds for state buildings and facilities, land acquisitions, and grants and loans.

House Committee on Ways and Means

Senate Committee on Rules

### BACKGROUND:

A bond issue to fund capital improvements for office buildings, parking facilities and other necessary space for state government is required to carry out the purposes of the capital budget.

A bond issue to fund capital improvements for Department of Social and Health Service facilities is required to carry out the purposes of the capital budget.

Previous bond authority required matching funds of \$2,700,000 be secured by September, 1, 1984, for the completion of the "people's lodge".

**SUMMARY:**

The State Finance Committee is authorized to issue, subject to legislative appropriation, \$64,270,000 of general obligation bonds to finance the construction of office buildings, parking facilities and other work-related space for the legislature, other elected officials, and other state agencies, and for acquiring land for dredge spoils downstream from Mt. St. Helens, and for loans by the Department of Commerce and Economic Development.

The proceeds of the bond issue are to be deposited in the state building construction account. The Department of General Administration will administer the proceeds in the account, subject to legislative appropriation.

The state general obligation bond retirement fund is to be used for payment of principal and interest on bonds.

Previous bond authorization is amended to allow the State Finance Committee to issue, subject to legislative appropriation, an additional \$40,145,000 in general obligation bonds to finance the construction of Department of Social and Health Services and Department of Corrections facilities.

The requirement for additional non-state funding for the "people's lodge" is reduced to \$115,000.

**VOTES ON FINAL PASSAGE:**

First Special Session

House	60	35	
Senate	30	19	(Senate amended)
House	63	34	(House concurred)

EFFECTIVE: August 23, 1983

**HB 58**

C 59 L 83 E1

By Representatives Grimm, Cantu, Isaacson and Charnley (By Governor Spellman Request)

Authorizing bonds for fisheries facilities.

House Committee on Ways and Means

Senate Committee on Rules

**BACKGROUND:**

A bond issue to fund capital improvements for the Department of Fisheries is required to carry out the purposes of the capital budget.

**SUMMARY:**

The State Finance Committee is authorized to issue, subject to legislative appropriation, \$1,165,000 of general obligation bonds to finance capital improvements for the Department of Fisheries.

The proceeds of the bond issue are to be deposited into the fisheries capital projects account. The Department of Fisheries will administer the proceeds of the account. The state general obligation bond retirement fund is to be used for the payment of principal and interest on the bonds.

**VOTES ON FINAL PASSAGE:**

First Special Session

House	66	29
Senate	30	18

EFFECTIVE: August 23, 1983

**HB 59**

C 90 L 83

By Representatives R. King, Clayton, Grimm, Sutherland, Todd, Isaacson, Addison, Hankins, Gallagher, Lux, Dellwo, Garrett, and Lewis

Repealing the provision relating to registration of apprenticeship agreements and the payment of registration fees.

House Committee on Labor and Ways & Means

Senate Committee on Commerce & Labor and Ways & Means

**BACKGROUND:**

The Department of Labor and Industries is responsible for administering the state apprenticeship program. Legislation enacted in 1982, required the Department to charge fees to cover at least fifty percent of the administrative costs. The Department was given the authority to charge

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**HB 59**

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fees for the registration of individual apprenticeship agreements and for registration of apprenticeship program "standards".

**SUMMARY:**

The bill repeals the provision relating to registration of apprenticeship agreements and the payment of registration fees.

**VOTES ON FINAL PASSAGE:**

House	95	2
Senate	43	4

EFFECTIVE: July 24, 1983

**HB 61**

C 8 L 83

By Representatives Grimm, Tilly and Isaacson (By Department of Revenue Request)

Extending transfers to the timber tax reserve account.

House Committee on Ways and Means

Senate Committee on Ways and Means

**BACKGROUND:**

The timber excise tax is distributed to the state and counties. Some of the receipts are placed in a "reserve fund." An oversight in a 1979 law will result in the inability to make distributions from the reserve fund.

**SUMMARY:**

Reserve fund distributions are continued. This measure has no effect on the amount of timber tax paid.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	48	0

EFFECTIVE: February 23, 1983

**HB 63**

C 55 L 83

By Representatives Kreidler, Lewis, Wang, Ballard and Isaacson (by Department of Licensing Request)

Modifying the regulation of licensed practical nurses.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

**BACKGROUND:**

Membership of the Board of Practical Nurse Examiners is composed of three registered nurses and two licensed practical nurses. The per diem is set at \$25 for board members. Practical nurses licensed in other states with equivalent standards may be issued licenses. There are no grounds specified for disciplinary action nor procedures for the denial, revocation or suspension of licenses. Exemption from licensure is specified for care rendered in connection with the practice of religion. The Board has no authority to approve the nursing curriculum.

**SUMMARY:**

Membership on the Board of Practical Nursing is limited to two registered nurses, two licensed practical nurses, and one member representing the public. Per diem for board members is increased to \$50. Grounds for disciplinary action are specified. Procedures for disciplinary actions, including hearings and appeals, are provided through the Administrative Procedures Act. The director of licensing is authorized to pursue injunctive relief, and the board and director are required to investigate alleged violations. Exemptions from licensure are specified, including practice by students in approved courses, administration of domestic remedies and assistance in emergencies. The director is authorized to license practical nurses licensed by examination in other states. The Board has authority to establish by rule an approved curriculum for practical nursing and criteria.

Revenue: \$6,834 biennium (costs of administration entirely offset by license fees established by Dept. of Licensing)

Rule Making Authority: The bill delegates new rule making authority to the Board of Practical Nursing

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 45 0

EFFECTIVE: July 24, 1983

### SHB 64

C 172 L 83

By Committee on Environmental Affairs (Originally sponsored by Representatives Rust, Allen, Brough, Miller, Appelwick, Holland, Burns, Broback, Lux, Silver, Niemi, Charnley, R. King, Long, Brekke and Todd)

Increasing penalties for hazardous waste violations.

House Committee on Environmental Affairs

Senate Committee on Parks and Ecology

BACKGROUND:

In 1976, Congress passed the Resource Conservation and Recovery Act (RCRA) requiring the Environmental Protection Agency to establish a regulatory program to control hazardous wastes.

RCRA includes provisions for States to develop and carry out their own hazardous waste programs, subject to EPA's authorization. The Federal program will be used only in those States that either do not undertake their own programs or fail to receive authorization.

To receive final authorization, State programs must be equivalent and consistent with the Federal program, and provide adequate compliance enforcement of the Federal requirements. The Federal Program includes violation penalties of up to \$10,000 per day. Washington's current maximum penalty is \$1,000 per day.

SUMMARY:

A cause of action is awarded to persons injured by a violation of the hazardous waste disposal laws, and attorney's fees may be awarded to the prevailing injured party. The maximum civil penalty and criminal fine for each violation is raised

from \$1,000 to \$10,000. The Department of Ecology is authorized to issue compliance orders to persons who have violated the Hazardous Waste Disposal Laws.

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 33 13 (Senate amended)  
House 91 2 (House concurred)

EFFECTIVE: July 24, 1983

### SHB 72

C 55 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Grimm and Tilly, and By Department of Revenue Request)

Modifying miscellaneous tax provisions.

House Committee on Ways & Means

Senate Committee on Ways & Means

BACKGROUND:

1. No statutory authority currently exists to require state agencies to collect sales and use taxes on taxable goods and services. While some state agencies collect sales and use taxes, others do not.

2. The use tax is applied on products manufactured for the purposes of serving as a prototype. When the prototype is sold, the tax is based on the retail sales price. If it is not sold, the tax is applied on the value of comparable goods. When there are no comparable goods, the tax is applied on the value of the materials, labor and overhead used in producing the goods.

3. A reduced B&O tax rate is currently paid by meat processors and meat wholesalers. Under the current definition of meat processing, certain retailers of meat products who perform "processing" activities qualify for the reduced B&O tax rate.

4. Irrigation equipment leases are currently subject to the sales tax. Farmers who lease out their land and irrigation equipment are subject to the sales tax on the equipment lease. The original

purchase of the equipment is also subject to the sales tax.

5. The use tax can be applied to computers donated to private or public schools if the donor has not previously paid the sales tax on the gift.

6. If a tax payment is 15 days past due, the Department of Revenue may file a tax warrant with the Superior Court clerk. The warrant is then served on the delinquent taxpayer by the Department or the county Sheriff. Under current law, if the Department files a tax warrant and chooses to use a Sheriff to serve the warrant, it may be necessary for the Sheriff to resubmit the warrant for filing with the court clerk.

7. The only housing services clearly exempt from property taxes under state statute are those providing housing for the "aged, sick or infirm". Other nonprofit organizations providing housing are exempt from property taxes only if they provide social services (e.g., counseling) in addition to housing.

SUMMARY:

1. State agencies are required to collect sales and use taxes on taxable goods and services (Sections 1 & 2).
2. The use tax on prototypes which are not sold at retail is based on only the value of the material used in the production of the product and does not include labor or overhead costs (Sections 2 & 3).
3. The reduced B&O tax rate available to meat processors is restricted to processors selling at wholesale. (Section 4).
4. Irrigation equipment, upon which a sales tax has already been paid and which is attached to the land and leased with the land is exempt from the sales and use tax (Sections 5 & 6).
5. Computers or computer accessories donated to public or private schools are exempt from the use tax (Section 7).
6. The Department of Revenue may file tax warrants directly with Superior Court clerks, irrespective of the party which will eventually serve the warrant. (Sections 8 - 11).
7. Nonprofit organizations providing temporary shelter to indigent persons are eligible for property tax exemption (Section 12).

Revenue: Sales and use taxes are imposed on taxable goods and services sold by state agencies. The .33% meat processors B&O tax rate is restricted to processors selling at wholesale. Tax exemptions for irrigation equipment, prototypes, donated computers and organizations providing temporary housing are granted.

VOTES ON FINAL PASSAGE:

First Special Session	
House	82 15
Senate	35 10

EFFECTIVE: July 1, 1983  
January 1, 1984 (Section 12)

**HB 74**

C 44 L 83 E1

By Representatives Moon, Van Dyken and Egger

Raising limits on local government contracts that may benefit local officers.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

The law precludes municipal officers from having "beneficial interests" in contracts made under their supervision. Certain exceptions are made to this prohibition. One exception is that municipal officers in many smaller units of local government may have beneficial interests in certain contracts of up to \$200 per month.

SUMMARY:

The \$200 exception for "beneficial interests" in contracts by municipal officers in smaller units of local government is increased from \$200 per month to \$750 per month. Members of county fair boards in counties without purchasing departments may have "beneficial interests" in excess of \$750 but not greater than \$9,000 in any year. Any contract in which there is a "beneficial interest" shall be kept on file for public disclosure. A municipal official who is a contractor or supplier may not vote on the authorization for any contract in which the official has a "beneficial interest."

VOTES ON FINAL PASSAGE:

Regular Session

House 96 1  
Senate 41 3 (Senate amended)

First Special Session

House 93 1  
Senate 35 3 (Senate amended)  
House (House refuses to concur)

Free Conference Committee

Senate 41 4  
House 89 9

EFFECTIVE: August 23, 1983

**HB 76**

C 173 L 83

By Representatives Moon, Van Dyken, Egger and Ristuben.

Extending the use of cumulative reserve funds by cities and towns.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

Existing law permits cities and towns to establish cumulative reserve funds and specify general or specific municipal functions or purposes for which the funds may be used, such as the purchase of equipment. Moneys in such a fund may only be used for the designated purpose or purposes, unless the voters of the city or town approve a ballot proposition authorizing such alternative uses.

SUMMARY:

The requirement that moneys in a cumulative reserve fund of a city or town may only be expended for specified purposes unless the voters approve a ballot proposition authorizing alternative uses is removed. Alternative uses for moneys in a cumulative reserve fund to be authorized by a two-thirds vote of the city or town legislative body. Cumulative reserve funds may be established as a revenue stabilization fund for future operations.

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 48 0 (Senate amended)  
House 95 2 (House concurred)

EFFECTIVE: July 24, 1983

**HB 77**

C 24 L 83

By Representatives Martinis, Wilson, Moon, Johnson, Sanders, Zellinsky and Mitchell

Permitting a longer time period for the acquisition of property by port districts.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

Existing law allows port districts to purchase land and property interests and pay for such land or property interests with a cash payment or deferred payments for up to a ten year period.

SUMMARY:

The period of time during which port districts may make deferred payments for purchase of land or property interests is increased from ten to twenty years.

VOTES ON FINAL PASSAGE:

House 90 0  
Senate 45 0

EFFECTIVE: July 24, 1983

**HB 78**

C 38 L 83

By Representatives Miller, Hine, Isaacson, Mitchell and Long

Modifying contracting procedures of water and sewer districts.

House Committee on Local Government

Senate Committee on Local Government



**BACKGROUND:**

Existing law provides that all work ordered by a sewer district or water district which is in excess of \$5,000 must "be let by contract". Where the proposed work is estimated to cost less than \$12,500, the contract may be awarded without formal public bidding requirements. Such contracts may be awarded through telephone solicitation or written quotations obtained from contractors who are listed on a "small works roster" maintained by the district. Where the project is \$12,500 or more in value a formal bidding process must be used to award the contract.

**SUMMARY:**

The maximum value of a public works contract that may be awarded by a sewer district or water district under the small works roster process, without going through formal public bidding requirements, is increased from less than \$12,500 to less than \$25,000.

**VOTES ON FINAL PASSAGE:**

House	95	2
Senate	46	0

**EFFECTIVE:** July 24, 1983

**SHB 81**

C 91 L 83

By Committee on State Government (Originally sponsored by Representatives G. Nelson, B. Williams, Sommers, O'Brien, Johnson and Stratton, and By Legislative Budget Committee Request)

Establishing the Washington state heritage council.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

The Eastern Washington State Historical Society, the State Capitol Historical Association, the Washington State Historical Society, and the Office of Archaeology and Historic Preservation are all undergoing sunset review in 1983. The Legislature

must take action by June 30 to extend their statutory authorization, or else the agencies will automatically terminate.

The three state historical societies are nonprofit corporations, each established independently prior to becoming a trustee of the state. The directors of the historical societies are selected by their respective governing boards; in the case of the State Capitol Historical Association, this appointment is made "with the consent of the Governor".

The state historical societies are not currently authorized to charge fees for admission to exhibits.

The Office of Archaeology and Historic Preservation (OAHP) is a cabinet agency directly accountable to the Governor. Due to recent cuts in both state and federal funding, OAHP's staff has been reduced to three professionals and 1.5 FTE clerical employees -- despite the fact that the current authorizing statute specifically mandates six professional staff positions.

Statutory authority for the Advisory Council on Historic Preservation terminated on June 30, 1982, but the Advisory Council has been continued by executive order.

**SUMMARY:**

The state historical societies and the Office of Archaeology and Historic Preservation are re-authorized, and a Washington State Heritage Council created to coordinate the operations and activities of these historical agencies.

Members of the Heritage Council include: (a) a member of each of the state historical societies, nominated by the respective society's governing board and onfirmed by the Governor; (b) the Seretary of State; and, (c) five persons appointed by the Governor who are "experienced and knowledgeable in historical and archaeological matters".

Members of the Heritage Council serve staggered four-year terms and serve without compensation except reimbursement for travel expenses. Administrative and staff support would be provided for the Heritage Council by the Office of Archaeology and Historic Preservation.

The Heritage Council is directed to develop and maintain a statewide plan pertaining to the state's archaeological and historical resources. In order to implement this statewide plan, the Heritage Council is directed to "review and comment on"

the budget proposals of the state's historical agencies.

The directors of the state historical societies are selected by their respective governing boards, "with the consent of the Governor".

Certain statutory staffing requirements of the Office of Archaeology and Historic Preservation are deleted, and the Advisory Council on Historic Preservation is re-authorized.

The historical societies are authorized to charge fees for admission to exhibits, and the Office of Archaeology and Historic Preservation is authorized to charge fees for professional and clerical services.

The four state historical agencies, the Heritage Council, and the Advisory Council on Historic Preservation will all terminate on June 30, 1993, unless extended by law.

Appropriation: \$22,960

Agency or Committee Created/Eliminated Created: (1) Washington State Heritage Council; and (2) Advisory Council on Historic Preservation (formerly the Sites Advisory Council, under executive order).

Termination Date: The Office of Archaeology and Historic Preservation, Eastern Washington State Historical Society, Washington State Historical Society, State Capitol Historical Association, and the Heritage Council are subject to the sunset review procedures and will cease to exist on June 30, 1993, unless extended by law. The Advisory Council on Historic Preservation will cease to exist on June 30, 1983.

VOTES ON FINAL PASSAGE:

House	94	3
Senate	39	2

EFFECTIVE: June 30, 1983

**HB 83**

C 23 L 83

By Representatives Sayan, Walk, Hankins and Johnson

Permitting certain HEP board meetings and hearings to be held at locations other than colleges.

House Committee on State Government

Senate Committee on Education

BACKGROUND:

Under current statutes, all meetings of the Higher Education Personnel Board must be held on campuses of the state institutions of higher education. The Board is to meet monthly to take action relating to personnel policy, and it also meets as needed to hear employee appeals of specific personnel actions.

Because of their "quasi-judicial" nature, these employee appeals hearings are exempt from the Open Public Meetings Act; however, they are to be open to the public unless the employee requests otherwise or the Board determines that there is "substantial reason" to conduct the hearing in private.

SUMMARY:

Only public meetings of the Higher Education Personnel Board would have to be held at the state's institutions of higher education (these would include any meetings when rule-making action is taken). Hearings or other meetings which do not fall under the requirements of the Open Public Meetings Act could be held at locations off campus.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	47	0

EFFECTIVE: July 24, 1983

**HB 87**

C 92 L 83

By Representatives Charnley and Brough

Modifying metropolitan municipal corporation council membership.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

Existing law specifies the make-up of the council of a metropolitan municipal corporation (e.g., the

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**HB 87**

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Metropolitan Municipal Corporation of Seattle commonly known as METRO). If a metro exercises the function of providing water pollution abatement services, and any other function, the council has different membership when it considers these separate functions. The normal council membership is increased by one person, a sewer district commissioner, when the metro considers water pollution abatement matters. There are currently 36 members on the Metropolitan Municipal Corporation of Seattle council.

**SUMMARY:**

The number of members on the council of a metropolitan municipal corporation providing water pollution abatement services is increased by one. This additional member would be a second representative of a sewer district or water district providing sewer services in the metro. These two members may not be from districts located within 10 miles of each other.

**VOTES ON FINAL PASSAGE:**

House 98 0  
Senate 44 0

EFFECTIVE: July 24, 1983

**HB 89****FULL VETO**

By Representatives D. Nelson, Niemi, Lux, Isaacson, Rust, Haugen, Hankins, Johnson, Tanner and Brekke

Relieving counties and cities from an obligation to include nuclear attack evacuation plans in their emergency services plans.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

The Federal Civil Defense Act of 1950 states that responsibility for civil defense is to be shared jointly by the federal government, the states, and local governments. Nuclear Crisis Relocation Planning, the crux of current federal civil defense programs, depends upon cooperation among these various levels of government.

As the first step in Crisis Relocation Planning, the Federal Emergency Management Agency (FEMA) has identified approximately 400 "risk areas" across the country: areas which are considered likely targets of hostile missiles. FEMA has contracted with state agencies -- or, as in Washington State, private consultants -- to draw up preliminary "concept reports" which provide general guidelines as to how crisis relocation would be implemented, and how to allocate evacuees from risk areas to rural "host areas". Local emergency services staff in both risk and host areas are expected to cooperate with FEMA and the State Department of Emergency Services in developing specified local plans for how resources in their jurisdictions would be mobilized to implement this statewide crisis relocation plan.

Some local jurisdictions within Washington State have expressed opposition to the federal civil defense program or reluctance to cooperate with FEMA in the crisis relocation planning process. Seattle's policy, for instance, is to avoid devoting any city funds to nuclear crisis relocation planning.

The primary role of the State Department of Emergency Services (DES) in crisis relocation planning is to coordinate development of these local emergency plans. DES also provides technical support to local emergency services personnel.

Existing state law requires cities and counties to establish an emergency services organization and plan. The local emergency services organizations are to deal with a full range of possible disasters, both peacetime and war-related. The State Department of Emergency Services is to review these local programs and plans to see that they comply with the standards and overall plans of the state's emergency services programs.

**SUMMARY:**

Local governments must establish emergency services programs and plans, but they cannot be required to include in these plans provisions for emergency relocation of residents in case of impending nuclear attack.

**VOTES ON FINAL PASSAGE:**

House 56 40  
Senate 31 17

FULL VETO: (See VETO MESSAGE)

**SHB 95**

C 138 L 83

By Committee on Environmental Affairs (Originally sponsored by Representatives Rust, Patrick, Lux, Allen, Powers, Brekke, Armstrong, McClure, Charnley, Burns, Pruitt, Hine, Zellinsky, Smitherman, Jacobsen, D. Nelson, McMullen and Crane)

Requiring a permit to explore for oil in marine waters.

House Committee on Environmental Affairs

Senate Committee on Parks & Ecology

**BACKGROUND:**

Presently the state has no statutory authority to monitor oil or natural gas exploration activities in marine waters (the Puget Sound, the Strait of Juan de Fuca, and the Pacific coastline).

**SUMMARY:**

Permits are required for all oil and natural gas exploration activities conducted by a vessel in marine waters. Permit requirements do not apply to activities conducted by government agencies. The prohibition of drilling for oil in the Puget Sound or Strait of Juan de Fuca as set forth in the Shoreline Management Act remains unchanged. Violators are subject to a fine of up to \$5,000.00 per day.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	40	1

EFFECTIVE: July 24, 1983

**SHB 99**

C 25 L 83

By Committee on Judiciary (Originally sponsored by Representatives Wang and Tanner)

Modifying the procedures governing defendants acquitted by reasons of insanity.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

The statutes governing the criminally insane were amended in 1974 to distinguish criminal insanity from civil commitment procedures. The statute governing the various sentencing possibilities was amended by the legislature, but due to a drafting error, the Governor vetoed the amendment, restoring the original language. The original language is inconsistent with other statutory provisions. These inconsistencies have resulted in two recent Court of Appeals cases in which the courts have had to determine the meaning of the statute. State v. Brasel, 28 Wn. App. 303 (1981); State v. Jones, 32 Wn. App. 359 (1982).

**SUMMARY:**

The statute governing sentencing possibilities for the criminally insane is amended to remove an inconsistency. The court will be able to sentence those found criminally insane in one of three ways. If the defendant poses no further danger, he or she can be discharged. If the defendant does pose a danger and needs control, the court may order the appropriate treatment. If the defendant does not pose a danger but is in need of control, the court may order conditional release on terms determined necessary. Changes are also made to clarify the intent that if a defendant is to be released, either conditionally or on final discharge, with no further control that both the lack of a danger to others and the lack of a danger of committing felonies is shown by the defendant.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	46	1

EFFECTIVE: July 24, 1983

**HB 102**

C 70 L 83

By Representatives R. King, Clayton, Lux, Addison, Monohon, Gallagher, Sayan, Vekich, Belcher, Fisch, Charnley, Ebersole, Ristuben, Isaacson, McMullen, Crane and Todd

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**HB 102**

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Defining application of chapter on vocational rehabilitation for injured workers.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

Legislation enacted in 1982 established new procedures to be followed in the vocational rehabilitation of injured workers. These procedures are incorporated in a new chapter of the Revised Code of Washington. This chapter became effective January 1, 1983.

Changes in the state's industrial insurance laws were also made in 1982 which:

- (a) expand the amount and types of rehabilitation expenses which will be paid by the Department of Labor and Industries (or by self-insurers);
- (b) permit the Department of Labor and Industries to spend up to \$5,000 per worker in "job modification costs."

These changes also became effective January 1, 1983.

**SUMMARY:**

Language is added to chapter of law dealing with the vocational rehabilitation of injured workers stating that:

- (a) the intent of the chapter is to benefit injured workers, including those injured prior to the effective date of the chapter, and
- (b) the chapter is to be liberally construed to fulfill this intent.

Certain rehabilitation benefits will be available to all injured workers, including those injured prior to January 1, 1983.

A worker's "job modification" costs may be paid by the Department of Labor and Industries, even if the worker was injured prior to January 1, 1983.

**VOTES ON FINAL PASSAGE:**

House	93	0	
Senate	46	0	(Senate amended)
House	95	0	(House concurred)

**EFFECTIVE:** April 22, 1983

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**HB 106**

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C 56 L 83

By Representatives Sommers, B. Williams, Taylor and Galloway (By Legislative Budget Committee Request)

Revising certain laws pertaining to educational service districts.

House Committee on Education

Senate Committee on Education

**BACKGROUND:**

The Legislative Budget Committee (LBC) performance audit of Educational Service Districts (ESD) has identified unnecessary or obsolete statutes which the Committee recommends be eliminated. Additional deletions have been included since the report was completed.

**SUMMARY:**

Miscellaneous sections of the code dealing with ESD responsibilities are amended or repealed. Amendments delete requirements that:

1. Private school teachers file health certificates with ESDs;
2. ESDs apportion non-state funds;
3. ESD boards operate circulating libraries;
4. ESD board members be popularly elected (board members are elected by school board members);
5. ESD superintendents apportion state education funds to school districts from the ESD current school fund;
6. ESD superintendents apportion moneys to counties included in joint school districts;
7. School districts submit their teacher rosters to ESDs and that ESDs supply teachers with school registers;
8. ESD superintendents audit certain school district accounts and report to county commissioners;
9. ESDs conduct fiscal audits of second class school districts' warrants;
10. Teacher contracts be filed with ESDs;

11. Teaching certificates be registered by ESDs; and that
12. ESDs file retirement system reports for second class school districts.

Sections are repealed which require that:

1. Counties provide funding for ESD's;
2. ESD's maintain lists of non-high school districts;
3. ESD's withhold teacher's salaries until certain reports are supplied;
4. County auditors prepare annual reports detailing the financial condition of schools in each county;
5. ESD superintendents be penalized for failing to submit certain reports;
6. ESD's enforce requirements that school districts teach hygiene; and that
7. ESD's withhold some apportionment funds if school districts use unauthorized texts, unapproved courses of study or uncertified teachers.

References to obsolete funds are removed.

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 47 0

EFFECTIVE: July 24, 1983

**HB 107**

C 174 L 83

By Representatives R. King, Betrozoff, Clayton, Heck, O'Brien, Patrick, Galloway, Hine, Sanders, and Mitchell

Allowing specified hospitals and school districts to form self-insurance groups.

House Committee on Labor

Senate Committee on Commerce & Labor

BACKGROUND:

State law allows certain employers to qualify as self-insurers for workers' compensation purposes.

In addition, school districts and educational service districts may self-insure by forming "self-insurance groups." The Department of Labor and Industries has adopted regulations which apply specifically to these self-insurance groups. These groups are also governed by the statutes applicable to other self-insurers.

SUMMARY:

Public and non-profit hospitals may form "self-insurance groups", subject to the same statutory provisions applicable to self-insurance groups formed by school districts and educational service districts. A hospital owned or operated by a state agency or municipal corporation may not belong to the same self-insurance group as a private non-profit hospital.

Only one self-insurance group for private non-profit hospitals may be formed; similarly, only one self-insurance group for public hospitals may be formed.

VOTES ON FINAL PASSAGE:

House 58 37  
Senate 44 4 (Senate amended)  
House 64 31 (House concurred)

EFFECTIVE: July 24, 1983

**HB 111**

C 57 L 83

By Representatives R. King, Miller and Hine

Modifying provisions relating to water and sewer district treasurers.

House Committee on Local Government

Senate Committee on Financial Institutions

BACKGROUND:

Existing law provides that the treasurer of the county, within which a water district or sewer district is located, is the ex officio treasurer of the sewer district or water district. A district treasurer establishes funds, invests moneys and distributes moneys from these funds. Funds are disbursed upon warrants of the county auditor that are issued by the authority of the water district or sewer district.

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**HB 111**

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**SUMMARY:**

The board of commissioners of each sewer district with 2,500 or more customers, and the board of commissioners of each water district with 2,500 or more customers, may designate a commissioner or employee to act as treasurer of the district if it obtains the approval of the county treasurer. Such a district treasurer will perform the duties of the county treasurer and auditor for the district related to creating and maintaining funds, issuing warrants and investing surplus funds. Such a district treasurer is required to be bonded for not less than \$25,000.

**VOTES ON FINAL PASSAGE:**

House	87	7	
Senate	38	6	(Senate amended)
House	95	1	(House concurred)

EFFECTIVE: July 24, 1983

**HB 112**

C 93 L 83

By Representatives Rust, Patrick and Powers

Modifying procedures for complaints against water well contractors.

House Committee on Environmental Affairs

Senate Committee on Agriculture

**BACKGROUND:**

The Pollution Control Hearings Board was created to expedite the appeals process on environmental complaints. An original written complaint is normally filed with the Department of Ecology or a local agency, and these authorities respond to the complaint by issuing an order. Their decision may then be appealed to the Pollution Control Hearings Board.

Currently, complaints regarding water well construction are initially directed to the Pollution Control Hearings Board, bypassing the Department of Ecology or the local agency.

**SUMMARY:**

Initial complaints regarding water well construction are directed to the Department of Ecology rather than to the Pollution Control Hearings

Board. All decisions by the Department of Ecology may be appealed to the Pollution Control Hearings Board.

**VOTES ON FINAL PASSAGE:**

House	95	3
Senate	46	0

EFFECTIVE: July 24, 1983

**SHB 114**

C 94 L 83

By Committee on Energy & Utilities (Originally sponsored by Representatives Sutherland, Chandler, Heck and D. Nelson, and By Washington State Energy Office Request)

Regulating district heating system services.

House Committee on Energy &amp; Utilities

Senate Committee on Energy &amp; Utilities

**BACKGROUND:**

The law is silent as to whether geothermal and similar heating systems are subject to regulation by the Utilities and Transportation Commission (UTC). Potential developers of these systems have been reluctant to take the risks of development because of the uncertainty of regulation. Also, the UTC's methods of establishing utility rates may not allow sufficient incentive for development of these heating systems.

**SUMMARY:**

Limited jurisdiction is conferred upon the Utilities and Transportation Commission to issue an operating permit to a heat supplier if the applicant is financially responsible, the proposed system design is adequate for its intended purpose, and if certain consumer protection provisions are incorporated into the customer service contract. A streamlined rate setting procedure is established and the Commission is given continuing jurisdiction over consumer contracts. The commission shall notify all providers of heating services within the designated service territory of any pending application. The provisions of this law expire July 1, 2003.

Termination Date: The provisions of this law will cease to exist on July 1, 2003.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	46	0	(Senate amended)
House	95	0	(House concurred)

EFFECTIVE: July 24, 1983

**SHB 116**

C 282 L 83

By Committee on Judiciary (Originally sponsored by Representatives P. King, Crane and Halsan)

Modifying provisions relating to offers of settlement in civil actions.

House Committee on Judiciary

Senate Committee on Judiciary

BACKGROUND:

In civil actions, either party may make an offer to settle prior to trial. If a civil action involves money damages of \$5,000 or less, the prevailing party may be entitled to reasonable attorney's fees if he or she has made an offer of settlement less than or equal to the judgment. In superior court the offer may not be made any earlier than 30-days after service of the summons and complaint. The offer must be made in the manner prescribed by court rule. A superior court rule requires a defendant to make any offer of judgment at least ten days before trial. A justice court rule requires the defendant to make any offer within five days of trial.

SUMMARY:

The prevailing party may obtain reasonable attorneys fees in civil cases involving money damages of \$5,000 or less if an offer of settlement is made at least ten days before trial. The offer cannot be made until 30 days after service of the complaint and summons for actions in either superior court or justice court. The offer must be served in the manner prescribed by court rules.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	44	0	(Senate amended)
House	95	0	(House concurred)

EFFECTIVE: July 24, 1983

**SHB 117**

FULL VETO

By Committee on Labor (Originally sponsored by Representatives R. King, Fisch, Charnley, Martinis, Garrett, Rust, Lux, Jacobsen, D. Nelson and Hankins)

Modifying procedures for the reduction in force of community college faculty members due to a financial emergency.

House Committee on Labor

Senate Committee on Education

BACKGROUND:

In the fall of 1981 the legislature passed House Bill 782, which allows community colleges to use abbreviated reduction in force (RIF) procedures. These abbreviated procedures may be used only when the State Board for Community College Education has declared a financial emergency. A financial emergency may be declared due to a) an allotment reduction by the governor, or b) a reduction in appropriated funds by the legislature.

Under these abbreviated RIF procedures, only one hearing is required. (Two hearings are usually required at other times.) The only issue to be determined at the hearing is whether the proper faculty members are being terminated. The hearing officer's decision must be made within 60 days of the notice of reduction in force. The final decision is made by the community college board of trustees, rather than by the hearing examiner, however.

When more than one faculty member is notified of a reduction in force under these abbreviated RIF procedures, the hearings are consolidated.



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**SHB 117**

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**SUMMARY:**

Several changes are made in the abbreviated reduction in force procedures used by community colleges during financial emergencies:

The power of the State Board for Community College Education to declare a financial emergency is eliminated. By January 1, 1984, each community college must adopt procedures for dealing with reductions in force in case of financial emergencies. These procedures must be mutually agreed to by the board of trustees and the representative of academic employees. The board of trustees will make the final decision regarding whether a reduction in force is necessary. Such decision must be made within 30 days of the loss of funds.

The funds to be saved through a planned reduction in force cannot exceed the loss of funds which has caused the reduction in force.

The hearing officer is to be selected jointly by the board of trustees and the employee (or the employee's representative.)

The decision of the hearing officer is final (i.e. not subject to review by the district board of trustees) and must be made within 45 days of the notice of reduction in force.

The costs of the hearing officer are to be paid by the community college district.

The requirement that hearings be consolidated when more than one employee is affected by a reduction in force decision is removed. Hearings may be consolidated, however, if the community college and all affected employees agree to the consolidation. An employee has a definite right to a separate hearing under certain circumstances.

**VOTES ON FINAL PASSAGE:**

House	52	44	
Senate	28	20	(Senate amended)
House	57	40	(House concurred)

FULL VETO: (See VETO MESSAGE)

**SHB 118**

C 95 L 83

By Committee on Agriculture (Originally sponsored by Representatives Kaiser and Smith)

Adjusting certain agricultural fees.

House Committee on Agriculture

Senate Committee on Agriculture

**BACKGROUND:**

The Department of Agriculture administers the state's statutes regulating the distribution, sale and use of pesticides in this state. Under these statutes, pesticides must be registered for use and persons involved in the distribution and use of pesticides must be licensed.

The Department also administers the Uniform Washington Food, Drug and Cosmetics Act. The Act grants the Director the authority to embargo, or prohibit trade in, an article if the Director finds or has cause to believe that the article is in intra-state commerce in violation of the Act. The Director must petition a superior court for an order affirming such an embargo within 10 days of imposing the embargo.

The Director of Agriculture is the state sealer of weights and measures. Weighmasters are licensed by the Department to certify the weights of certain agricultural commodities. Official certification is made by means of an impression seal.

Increases in the assessments levied by the state's Apple Advertising Commission on all Washington apples take effect 60 days after a resolution regarding the increase is adopted by the Commission.

**SUMMARY:**

The fee established for registering a pesticide in this state is increased to \$20 annually from the current level of \$10. The fee for the late renewal of such a registration is increased to \$10 from \$5. The annual license fee established for both pesticide dealers and pest control consultants is increased to \$20 from \$10. The liability insurance or surety

bond required for each licensed pesticide applicator is increased to \$50,000 from \$25,000 and the maximum deductible clause allowed is increased to \$5,000.

Extended is the period within which the Director of Agriculture must petition a superior court for an order affirming an embargo placed upon an article by the Director under the Uniform Washington Food, Drug and Cosmetics Act. The period is extended to 20 days.

Any replacement seal to be used by a licensed weighmaster must be purchased from the Department for the cost of the replacement.

The effective date of an increase in the assessment levied by the Apple Advertising Commission on Washington apples may be established in the resolution adopted by the Commission regarding the increase.

Revenue: The fee for registering a pesticide is increased from \$10 annually to \$20 annually. The fee for late pesticide registration renewal is increased from \$5 to \$10. The fees for pesticide dealers licenses and for pest control consultants licenses are increased from \$10 to \$20.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	46	0

EFFECTIVE: July 24, 1983

**HB 125**

C 175 L 83

By Representatives Moon, Walk, Kreidler and Sayan

Eliminating the exemption from civil service for certain Department of Corrections personnel.

House Committee on State Government

Senate Committee on Institutions

BACKGROUND:

When the Corrections Reform Act of 1981 transferred inmate work programs from the Department of Social and Health Services (DSHS) to the Department of Corrections, management and

sales positions within the Division of Institutional Industries and industries staff who directly supervise work by inmates were exempted from Washington State civil service laws.

SUMMARY:

Civil service coverage is extended to Institutional Industries staff whose positions involve direct supervision of inmate work.

VOTES ON FINAL PASSAGE:

House	87	11
Senate	33	14

EFFECTIVE: July 24, 1983

**SHB 126**

PARTIAL VETO

C 233 L 83

By Committee on Ways & Means (Originally sponsored by Representatives Monohon, Grimm, Kreidler, Belcher, Walk, Vander Stoep, Halsan, Sayan, Patrick, O'Brien, P. King, Zellinsky, Powers, Fisher, Ebersole, Appelwick, Johnson, Garrett, Charnley, Lewis, Addison, Miller and Ristuben)

Extending the time period for the restoration of withdrawn retirement contributions.

House Committee on Ways & Means

Senate Committee on Ways & Means

BACKGROUND:

Members of the Teachers' Retirement System (TRS) and members of the Public Employees' Retirement System (PERS) may withdraw their contributions to the retirement system when severing employment with the state.

Employees who reenter service presently have five years to restore the withdrawn contributions in order to recapture the prior service credit.

For a variety of reasons certain employees did not take advantage of the previously offered restoration periods to buy back the credit for service prior to withdrawal.

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**SHB 126**

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**SUMMARY:**

Members of TRS and PERS who had previously withdrawn from the retirement system and had subsequently returned but failed to restore withdrawn contributions within the five years allotted are provided, a new opportunity to restore those contributions (with interest) and receive credit for service earned prior to the withdrawal.

Within 90 days of reemployment, the employer is to notify the department of Retirement Systems (DRS) of a member's reemployment. In turn, DRS is to return to the employer a statement of such employee's potential service to be restored, the amount of money required to accomplish the restoration, and the termination date of the restoration period. This statement is to be signed by the employee with a copy to be retained by the employer and a copy to be placed in the employee's personnel file.

Those currently employed members of PERS who failed to recover service earned prior to July 1, 1954, while they were classified employees of the University of Washington, have until June 30, 1984, to so recover this service.

The restoration of contributions with interest must be completed by July 1, 1984.

**VOTES ON FINAL PASSAGE:**

House	62	35	
Senate	34	10	(Senate amended)
House	64	32	(House concurred)

**EFFECTIVE:** May 17, 1983**PARTIAL VETO SUMMARY:**

The governor vetoed the language relating to reestablishment of retirement credits, sections 1(2), 2(3) and 3. This leaves only the provisions which require the state to notify the employees, within 90 days of resuming service, of their rights to recapture prior service within five years.

**SHB 127**

C 29 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett)

Modifying the manner by which travel reimbursement rates for state employees are set.

House Committee on Ways &amp; Means

Senate Committee on Ways &amp; Means

**BACKGROUND:**

Subsistence and mileage allowances are currently established by the Office of Financial Management (OFM). Legislative committee approval is required for OFM's initial schedule of subsistence allowances and for both the initial mileage rate and any changes to the rate.

There exists no requirement for a periodic review of the allowances. The current mileage rate, 18 cents per mile, was adopted on February 1, 1981. The current subsistence allowance schedule was adopted on May 1, 1981. The subsistence schedule includes special allowances for foreign travel and other travel involving higher than usual costs for subsistence and lodging.

**SUMMARY:**

The subsistence and mileage allowances established by OFM for state employees shall not exceed the rates set by the federal government for federal employees. The requirement for legislative approval is eliminated and OFM is only required to provide an annual report to the House and Senate Ways and Means Committees.

The statutory restriction of ten cents per mile for travel reimbursement for legislators traveling to and from legislative sessions is eliminated.

Future Obligation: OFM is required to report at each regular session to the House and Senate Ways and Means Committees on changes to the subsistence and travel allowances.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>	
House	97 0

First Special Session

House	91	2	
Senate	40	6	(Senate amended)
House	84	13	(House concurred)

EFFECTIVE: August 23, 1983

**SHB 129**

C 283 L 83

By Committee on State Government (Originally sponsored by Representatives Halsan, Walk, Vekich, Kreidler, Belcher, Vander Stoep, P. King, Zellinsky, Powers, Ebersole, Appelwick, Johnson, Garrett and D. Nelson)

Modifying the provisions governing accumulated vacation leave for state employees.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Full-time state employees who are in pay status for 15 or more calendar days including holidays are credited each month with vacation leave. The amount of leave credited varies depending upon tenure. For example, during the first year of employment an employee receives 12 days of vacation leave; while during the 26th year and after, an employee receives 22 days of vacation leave per year.

An employee may accumulate vacation leave up to a maximum of 30 days unless the employee's request for leave is deferred by the employing agency and a "statement of necessity" is placed on file. For such cases, vacation leave may be accumulated in excess of the 30-day maximum until such leave is granted by the employing agency.

**SUMMARY:**

An alternative to the current method of accruing vacation leave in excess of 30 days is established. Specifically, once an employee has accumulated 30 days of vacation leave, the employee may continue to accumulate leave until the employee's anniversary date has been reached. All leave in

excess of 30 days accumulated under this alternative must be used before the anniversary date and at the employer's convenience.

The provisions of this act cannot result in any increase in a retirement allowance under any retirement system in the state. The Law Enforcement Officers and Fire Fighters, Teachers, Public Employees, and Washington State Patrol retirement systems are amended to guarantee that they will not be affected by this act.

Vacation leave accumulated under the procedures established by this act cannot be deferred by filing a statement of necessity.

Statements of necessity filed on or after the effective date of this act are to include the specific number of days of excess leave and the date on which it was authorized. A copy of the letter of necessity is to be sent to the Department of Retirement Systems.

**VOTES ON FINAL PASSAGE:**

House	89	6	
Senate	39	8	(Senate amended)
House	92	5	(House concurred)

EFFECTIVE: July 24, 1983

**SHB 134**

FULL VETO

By Committee on State Government (Originally sponsored by Representatives Walk, Wang, Vekich, Kreidler, Belcher, Sayan, Patrick, O'Brien, P. King, Fisher, Ebersole, Johnson, Garrett, Lux and Ristuben)

Modifying the civil service laws for public employees.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

The 1982 legislature enacted some of the most far-reaching changes in the state's civil service laws since the civil service system was established in 1960. Among other changes, the Department of Personnel, the Higher Education Personnel Board, and institutions of higher education are required

to develop proposed rules for linking pay increases and employee lay-offs to performance. A report containing proposed rules to apply to management employees was submitted to the legislature April 1, 1983, those applying to non-management employees are to be submitted to the legislature by April 1, 1984.

Performance evaluations apply to all classified and exempt personnel except for agency heads, heads of higher educational institutions, academic personnel, and commissioned officers of the State Patrol.

Application of performance evaluation to step salary increases will be implemented on July 1, 1984, for management employees and July 1, 1985, for non-management employees. For management employees, incremental increases are to be given only when the employee's performance is rated above-satisfactory or meritorious. For non-management employees, increases are to be granted based on a combination of seniority and performance.

Similarly, reduction-in-force is to be based on a combination of seniority and performance, effective June 30, 1985, for management employees, and June 30, 1986, for non-management employees.

The Legislature has until July 1, 1986, to adopt a concurrent resolution approving the proposed rules to implement the performance evaluation system. If it does not act by this date, all provisions regarding performance evaluation are null and void.

Members of the State Personnel Board receive fifty dollars for each day in which the member attends a meeting.

**SUMMARY:**

Laws concerning step salary increases, lay-offs and re-employment of employees under the jurisdiction of the State Personnel Board and the Higher Education Personnel Board are changed as follows:

The Department of Personnel, the Higher Education Personnel Board, and institutions of higher education are no longer required to develop a system to link pay increases and employee lay-offs to performance.

The State Personnel Director is to implement a standardized performance evaluation procedure

for all classified employees and for exempt employees whose salaries are set by the Personnel Board.

Step salary increases are to be based on seniority and are granted to all employees whose standards of performance are such to permit them to retain job status in the classified service. Similarly, lay-offs and re-employment are based on seniority.

The State Personnel Board and the Higher Education Personnel Board are directed to adopt rules designed to terminate the employment of employees whose performance is inadequate. Similarly, rules are to be adopted to remove from supervisory positions those supervisors who tolerate the continued employment of employees whose performance is inadequate.

When decisions of the Personnel Appeals Board are appealed, an employee may request a transcript of all proceedings. In such cases, payment for the transcript is to await determination of the appeal and is to be made by the employing agency if the employee prevails. An appropriation of twenty-four thousand dollars is made for the period from July 1, 1983 through June 30, 1985 from the Department of Personnel Service Fund to the Personnel Appeals Board to carry out hearings on appeals and to provide transcripts of proceedings to employees.

The State Personnel Board and the Higher Education Personnel Board are required to adopt rules ensuring that employees under the jurisdiction of either board will be eligible for employment, re-employment, transfer and promotion into positions under the other board. They are to be given the same preferences as employees already under the employing board except that individuals terminated due to a reduction in force are to have preference rights to openings within the same agency, institution or board from which they were originally terminated.

The Higher Education Personnel Board is to adopt rules ensuring that employees of any given institution of higher education will be eligible for employment, re-employment, transfer and promotion into positions in other institutions of higher education. They are to be given the same preferences as were originally terminated.

When hirings, reductions in force or other employment decisions occur, the ratio of management to nonmanagement, full-time equivalent positions is

not to increase. Each agency is to submit a report to the Office of Financial Management (OFM) by January 15 and July 15 of each year showing each position vacated or filled during the previous six months. OFM is to report to the financial committees of the legislature by January 21 and July 31 of each year on the implementation of this hiring policy.

Members of the State Personnel Board are to be paid one hundred dollars for each day of attendance at official Board meetings. In addition, members of the Board are to receive one hundred dollars per day for performing other statutorily prescribed duties approved by the chairperson, however, such compensation cannot exceed two thousand dollars per year.

Future Obligation: The Office of Financial Management is to report to the financial committees of the legislature on January 21 and July 31 of each year on the implementation of the hiring policy which ensures that the ratio of management to nonmanagement employees does not increase due to employment decisions.

Appropriation: \$24,000 is appropriated from the Department of Personnel Service Fund to the Appeals Board for the period beginning on July 1, 1983 and ending on June 30, 1985.

Rule Making Authority: The State Personnel Board and the Higher Education Personnel Board are to adopt rules to ensure mobility of employees between boards and between institutions of higher education.

#### VOTES ON FINAL PASSAGE:

House	58	37	
Senate	26	22	(Senate amended)
House	59	38	(House concurred)

FULL VETO: (See VETO MESSAGE)

### HB 136

C 58 L 83

By Representatives R. King and Clayton (By Public Employment Relations Commission Request)

Imposing a time limit on filing certain unfair labor practice complaints.

House Committee on Labor

Senate Committee on Commerce and Labor

#### BACKGROUND:

The Public Employment Relations Commission (PERC) has the authority to issue remedial orders restraining parties from engaging in unfair labor practices in public sector employment relationships. The law, however, specifies no time limit after the occurrence of the alleged unfair labor practice within which the aggrieved party must file a complaint with PERC.

Upon receipt of an unfair labor practice complaint, PERC must serve the accused party with the complaint and with notice of any hearing to be held. The accused party may then file an answer to the complaint, although the answer must be made within five days of service of the complaint. There is no specific statute of limitations applying directly to such complaints. Therefore, PERC is applying the two year statute of limitations contained in the special proceedings and actions law.

#### SUMMARY:

A six-month statute of limitations is imposed on unfair labor practice complaints within PERC's jurisdiction; i.e., complaints not filed within six months of the alleged unfair labor practice are void. The requirement that parties accused of unfair labor practices answer the complaint within five days is removed.

#### VOTES ON FINAL PASSAGE:

House	92	0
Senate	45	0

EFFECTIVE: July 24, 1983

### SHB 139

#### PARTIAL VETO

C 32 L 83 E1

By Committee on Financial Institutions & Insurance (Originally sponsored by Representatives Lux, Zellinsky, Sanders, Broback, Garrett and Johnson, and By Insurance Commissioner Request)

Modifying provisions on insurance.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

A domestic mutual insurer may not be reorganized as a stock corporation. Thus, unlike other domestic insurers, it may not form "upstream" holding companies.

Investments of a domestic insurer are governed by statute. It may participate in a mortgage loan if it has substantially the rights of a first mortgagee.

Except as otherwise provided for surplus lines insurance, insurers not authorized by the commissioner may not solicit or transact business in the state, and no one except an attorney or adjuster may represent an unauthorized insurer. A violation is subject to fines from \$250 to \$10,000.

Surplus lines insurance may be procured from an unauthorized insurer only through a licensed surplus lines broker and only if it is not available from an authorized insurer and may not be procured for the purpose of obtaining a lower premium. An affidavit must be filed with the commissioner. Surplus line brokers are licensed by the commissioner, must pay a license fee and must maintain bonds in favor of the state for \$20,000 and in favor of the people of the State of Washington for \$50,000. A surplus lines broker must file an annual statement and pay certain taxes, or it must pay a fine for failure to do so on time.

Cancellation of auto insurance is subject to statutory limitations. Insurance contracts which provide principally general casualty or property insurance, with only incidental additional vehicle insurance, are exempt from these limitations on cancellation.

An examining bureau reviews policies, etc., to ascertain whether lawful rates are charged. Each bureau must be licensed by the commissioner, must be owned by its insurer clients, must have no manager or employer connected with a rating bureau or insurers, and must conform to other statutory requirements.

An "individual variable" insurance contract has both an insurance and an investment component. It must bear a notice that the policyholder may return the policy within ten days of receipt and can get a refund of the market value of the assets

purchased by the premiums, less taxes and brokerage commissions. If the contract is returned, it becomes void. Individual life and disability policies, health care service plan contracts, and individual Medicare supplement insurance policies must bear a similar notice, providing for refund of the premium or fee.

Casualty insurance is exempt from statutory requirements applicable to other kinds of insurance: that premium rates not be excessive, inadequate, or unfairly discriminatory, and that rates be filed with and reviewed by the commissioner.

Benefits or rates under some kinds of policies may vary depending upon the age or sex of the insured. Group life and annuity policies must contain a standard provision specifying how adjustments will be made if the age of an insured is misstated in the application (but there is no such requirement for misstatement of sex); a similar provision is optional in disability insurance contracts. A disability policy must contain a notice that it may not be voided, more than two years after issuance, for misstatements in the application, unless the misstatements are fraudulent; a group life and annuity contract must contain a similar notice of "uncontestability" after two years.

Individual or group disability insurance contracts which provide coverage for dependent children must cover newborns from the moment of birth and must cover congenital anomalies.

Where an employer pays the premiums for a group or blanket disability contract providing health care services, the employee must be notified that he may pay the premiums directly for up to six months whenever his compensation is suspended or terminated as a result of a labor dispute. Thereafter, the employee must be given the opportunity to purchase an individual policy.

An insurer may hold the proceeds of any policy by agreement with the policyholder and beneficiaries, and need not segregate them from other assets.

Credit life insurance under a group policy is limited to the lesser of \$25,000 or the amount owed by the debtor. The amount repayable under a credit life insurance contract may not extend past ten years, except for certain agricultural loans. These provisions apply to all life, accident and health insurance in connection with a credit transaction, except for individual policies in connection with a credit transaction that is over ten years duration.

## SUMMARY:

A domestic mutual insurer may organize "upstream" holding companies. An insurance company may participate jointly in a mortgage loan if it has substantially the rights of a first mortgagee as to its interest in that loan.

The minimum fine for an insurer doing business without authorization is eliminated. The commissioner may order replacement with an authorized insurer, of policies improperly placed with an unauthorized insurer, and may suspend or revoke licenses. Placement with an unauthorized insurer through a licensed surplus lines broker is not permitted for the purpose of securing a lower premium or other competitive advantage. The commissioner is to make rules governing the degree of effort required to locate an authorized insurer before placement with an unauthorized insurer is permitted. A surplus lines broker who fails to file an annual statement or to pay a tax on time is subject to the same penalties as an insurer would be. The broker's bond in favor of the people of the state is increased to \$100,000.

Combination homeowners and vehicle insurance policies (other than those which have only incidental vehicle insurance) are made subject to the limitations on cancellation which apply to auto insurance.

The manager or employee of an examining bureau is no longer prohibited from being connected with a rating bureau. An examining bureau shall, on request of the commissioner, examine surplus lines affidavits and contracts to assist the commissioner in determining whether surplus lines have been procured in accordance with rules and statutes.

Only the investment brokerage commission, and not the insurance broker's commission, may be deducted from the premium refund due if an individual variable contract policy is returned to the insurer following the ten-day "free look". A ten percent penalty is added to the refund if it is not made within 30 days.

An insurer must pay the policyholder a ten percent penalty on a premium not refunded within 30 days of return of the policy to the insurer following the "free look". This applies to individual disability life insurance policies, individual health care service plan contracts, and individual medicare supplement insurance policies.

Casualty insurance is made subject to the same requirements of rate amount, filing and review that apply to other kinds of insurance.

Disability insurance policies must state that, if the age or sex of the insured has been misstated, benefits payable under the policy shall be such as the premium paid would have purchased if the correct age or sex had been stated. Limited interest is permitted. The previous optional standard provision regarding misstatement of age is repealed. The provision required in group life and annuity contracts, regarding equitable adjustment of premiums or benefits in the event of misstatement of age, shall also apply to misstatement of sex.

The standard provision required in all disability insurance contracts, setting a time limit of two years for certain defenses, does not affect the adjustments made as a result of misstatement of the insured's age or sex.

If payment of an additional premium is required to provide coverage for a newborn child, individual and group disability insurance contracts may require that notification of the birth and payment of the required premium must be furnished to the insurer. Minimum notification period is 60 days from the date of birth. Changes apply to policies renewed or issued after January 1, 1984.

An employee whose compensation includes group disability insurance, and whose compensation is suspended for more than six months during a labor dispute, has the same right to convert to an individual policy that he would have if his employment were terminated.

Funds held by an insurer accrue interest at a specified rate while awaiting determination of final settlement option.

The \$25,000 ceiling on the amount of credit life insurance under a group policy, and the exception of certain agricultural credit transactions from the ten-year limit, are deleted.

Rule Making Authority: The bill delegates new rule-making authority to the Insurance Commissioner.

## VOTES ON FINAL PASSAGE:

<u>Regular Session</u>		
House	92	0
Senate	32	16 (Senate amended)



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**SHB 139**

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First Special Session

House	93	1	
Senate	47	1	(Senate amended)
House	84	0	(House concurred)

EFFECTIVE: August 23, 1983

## PARTIAL VETO SUMMARY:

The Governor vetoed the section changing the rights of an employee whose group disability insurance is suspended for more than six months due to a labor dispute, from the right to purchase an individual policy, to the right to convert as if his employment had been terminated.

**SHB 143**

C 26 L 83

By Committee on Transportation (Originally sponsored by Representatives Martinis, Gallagher and Wilson, and By Department of Licensing Request)

Revising payment of vehicle license fees.

House Committee on Transportation

Senate Committee on Transportation

## BACKGROUND:

County auditors, their agents, and the Washington State Patrol are all authorized to act as agents of the Department of Licensing for issuing vehicle licenses, and to collect a one dollar fee. In certain instances, the Department of Transportation (DOT) is serving this function. Since not otherwise specified, proceeds from the fee being collected by it are deposited in the Highway Safety Fund, and thus, not available to the DOT.

Provisions dealing with exemptions from taxes and fees for out-of-state vehicles and trailers have become obsolete.

## SUMMARY:

The Department of Transportation is added to the list of those who can serve as agents of the Department of Licensing in issuing vehicle licenses. In the case of transactions handled by the Department of Transportation, the one dollar agent's fee is to be deposited in the Motor Vehicle Fund.

An exemption from the state use tax is extended to: (1) trailers registered in another state, which are temporarily brought into Washington; and (2) vehicles brought in by non-resident military personnel stationed in Washington. The maximum three-month period of exempt use is repealed.

A travel trailer or camper is exempt if owned by a non-resident and licensed in another state, unless such travel trailer or camper is required by law to be licensed in this state.

Obsolete provisions relating to excise taxes collected by the Utilities and Transportation Commission and a partial refund of motor vehicle excise taxes paid by interstate common carriers are repealed.

## VOTES ON FINAL PASSAGE:

House	96	0
Senate	46	0

EFFECTIVE: July 24, 1983

**HB 144**

C 27 L 83

By Representatives Martinis, Gallagher, Charnley and Wilson (By Department of Licensing Request)

Changing various provisions concerning license plates.

House Committee on Transportation

Senate Committee on Transportation

## BACKGROUND:

The Department of Licensing (DOL) periodically proposes "housekeeping" amendments to licensing statutes to reflect other recent changes in the law or in administrative procedure.

## SUMMARY:

The description of registration quarters, which became obsolete when Washington changed to the staggered licensing system, is deleted.

Upon the sale of a vehicle, the following license plates are to be retained by the individual to whom the plates were originally issued: personalized plates, amateur radio operator, medal of

honor, disabled person, disabled veteran, and prisoner of war. Statutorily, these plates are issued to individuals, rather than vehicles.

The requirement for a notarized statement of fact for the renewal of consular plates is eliminated, and the consular plate license renewal period is changed to the staggered licensing system.

For-hire and diesel fuel trucks are eligible for personalized (vanity) plates.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	44	0

EFFECTIVE: July 24, 1983

**HB 146**

C 119 L 83

By Representatives Locke, Johnson, Wang, McDonald, Brough, Allen, Burns, Jacobsen, Belcher, Ellis, Haugen, Sayan, Powers, Braddock, Egger, Vekich, Stratton, Fisher, Smitherman, Armstrong, Lux, Ristuben, Fisch, Niemi, Galloway, Dellwo, Crane, Charnley, Garrett, Heck, McClure, Hine, Todd, Pruitt, Halsan, Tanner, O'Brien, R. King, D. Nelson, Brekke, Miller, Kaiser, Appelwick, Lewis, Patrick and Rust (By Governor Spellman Request)

Modifying provisions relating to the Asian-American Affairs Commission.

House Committee on State Government

Senate Committee on State Government

BACKGROUND:

The Washington State Commission on Asian-American Affairs was established by statute in 1974, and at that time was scheduled to expire in 1977. In 1977, the authorization of the Commission was extended, and the Sunset Act slated the Commission for review and possible termination in 1983. Unless re-authorized by the legislature, the Commission will begin "sunset termination" on June 30th of this year and its authorizing statutes will be repealed on June 30, 1984.

The statutory mission of the Commission on Asian-American Affairs is to study the problems and

needs of Asian-Americans in Washington State, and to advocate desirable changes in policies and programs. The goal of the Commission is to ensure equal opportunities and benefits for Asian-Americans in the state. According to the 1980 census, Asian-Americans were the third largest minority group in Washington State, numbering more than 102,000 at that time. This population has been growing rapidly in recent years, due to a large influx of Indo-Chinese refugees.

The Commission's twelve members are appointed by the Governor and receive reimbursement from the state for travel expenses. The Governor's proposed budget calls for a staff of 1.6 FTE and \$124,218 from the General Fund in support for the Commission's activities in the 1983-85 biennium.

In the sunset audit report submitted by the Legislative Budget Committee (LBC) to the legislature, the LBC auditor observed that there are many public and private organizations whose missions or operations parallel various facets of the Commission's activities. Representatives of the Asian community, however, expressed the opinion that the Commission served an important role in "bringing together" the various separate Asian ethnic groups and community organizations. The LBC auditor did not find evidence that there was a "pressing public need" for the Commission's role, however. The LBC itself submitted the report without a recommendation to the legislature on whether or not the Commission should be continued.

The Office of Financial Management (OFM), however, concluded from its program review that the Commission should be reinstated. OFM cited a special need for such a coordinating body due to the recent settlement of many Indo-Chinese refugees in the state and the difficulties of the transition period for these ethnic groups. OFM also found that the Commission served an important function in communicating the viewpoint and concerns of the Asian-American community to the Governor and state agencies, and that therefore the role of the Commission as a state liaison and advisory body should continue. The Commission's efforts to cooperate in curtailing costs to the state were praised by OFM.

SUMMARY:

The Commission on Asian-American Affairs is reinstated for an additional five years. Its authorizing statutes are re-enacted with additional

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**HB 146**

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emphasis on increasing opportunities, especially for those Asian-Americans who are disadvantaged or isolated from American society by economic, linguistic, or cultural barriers. The Commission is again scheduled for sunset on June 30, 1988.

Agency or Committee Created/Eliminated This bill re-authorizes the Washington State Commission on Asian-American Affairs and schedules it for sunset termination on June 30, 1988, unless extended by law.

Termination Date: The Commission on Asian-American Affairs is subject to the sunset review process, and it will cease to exist on June 30, 1988, unless extended by law.

**VOTES ON FINAL PASSAGE:**

House 66 20  
Senate 38 11

EFFECTIVE: June 30, 1983

**HB 147**

C 10 L 83

By Representatives Armstrong, Holland, Lux, Patrick, Garrett, Tanner, Lewis and Isaacson

Modifying the definition of homicide.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Homicide is defined as the killing of another by act, procurement, or omission. Unless statutes provide otherwise, the time between the injury to the victim and the victim's death must be no more than one year. State v. Spodoni, 137 Wash. 684 (1926). In 1970, the legislature amended the homicide statute to provide that death occurring within three years and one day could be considered homicide. When the criminal code was revised in 1975, the 1970 amendment was not included, reverting the time back to the common law standard of one year.

**SUMMARY:**

The amendment to the homicide definition would permit a person who by act, procurement, or omission kills another to be charged with homicide if death results within three years and one day. There is an emergency clause.

**VOTES ON FINAL PASSAGE:**

House 95 0  
Senate 46 0

EFFECTIVE: February 24, 1983

**SHB 148**

C 59 L 83

By Committee on Education (Originally sponsored by Representatives Haugen, Galloway, Johnson, Schoon, Rust, Armstrong, Taylor, Betzoff and Holland)

Modifying procedures for school districts' budgets and funds.

House Committee on Education

Senate Committee on Education

**BACKGROUND:**

School districts with more than 1,000 students are currently required to budget expenditures on an accrual basis and budget revenue on a cash basis. However, cash basis budgeting is not a generally accepted accounting principle. National governmental accounting standards specify the balancing of budgets on an accrual basis.

Under cash basis budgeting for revenue, a school district can credit revenue only when it is actually received. For example, a district can only credit revenue from federal grants when the money is received in cash. Under accrual basis budgeting for revenue, a district can credit revenue when it is measurable and available. For example, a district can credit revenue for federal grants for the amount of money owed to the district by the federal government.

Common accounting principles also discourage establishing special funds outside of a district's

general fund and recommend that restricted reserves be set up within the general fund.

**SUMMARY:**

The budgeting, accounting and financial reporting methods available to school districts are modified. Districts with more than 1,000 students are required to recognize revenues and expenditures on an accrual basis. Districts with fewer than 1,000 may elect to recognize revenue and expenditures on a cash basis.

The budget shall set forth the estimated revenues and expenditures for the ensuing fiscal year, the estimated revenues and expenditures for the fiscal year current at the time of budget preparation, the actual revenues and expenditures for the last completed fiscal year and the reserved and unreserved fund balances for each year. Estimated expenditures for the budgeted fiscal year must not be greater than the total of the estimated revenues, reserve fund balance, and projected revenues.

The way salaries are displayed in the budget is modified. The budget shall display total salary amounts, full-time equivalents and the high, low and average annual salaries by job classification in addition to salary schedules. Information regarding individual salaries must be made available upon request.

Accounting definitions are modified. The term "revenue" includes revenue which is in the form of cash or in the form of noncash assets such as donated commodities. Revenue for accrual basis expenditure funds is limited to amounts received in cash or noncash donations plus or minus adjustments for revenue accrual. "Revenue accruals" are defined to be revenues anticipated in the future as a reimbursement of current expenditures. The terms "accrual basis expenditures", "cash basis expenditures", "cash basis revenue", "net cash balances and investments available" and "disbursements" are redefined.

Procedures for budget preparation and budget extensions are modified. The budget filing date is changed to correspond with the publication date. The requirement that the Superintendent of Public Instruction call a meeting with other school officials to review a budget which is not balanced prior to requiring adoption of a revised budget is eliminated. Also, districts can prepare and submit budgets in a "format prescribed" by the Superintendent of Public Instruction rather than on "forms

provided" by the Superintendent. The requirement that copies of school district budgets be filed with the State Auditor is eliminated.

The building reserve fund and the building fund are combined and redesignated as the "capital projects fund." The permanent insurance and the self-insurance funds are eliminated and re-established as reserves within the general fund. The bond interest and redemption fund is renamed the "debt service fund."

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	44	0

**EFFECTIVE:** September 1, 1983

**HB 150**

C 176 L 83

By Representatives Pruitt, Barnes, Fisch, Miller, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, Charnley, Garrett, B. Williams, Kaiser, Ristuben, Wang, Lewis, McMullen, Mitchell, Belcher, Patrick, Johnson, Isaacson, Silver, Rust, McDonald, Todd, Moon, Halsan, Hine, Allen, Dellwo, Lux and Holland

Requiring special reports of campaign contributions over five hundred dollars.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

**BACKGROUND:**

State public disclosure law requires the campaign treasurer of a candidate or political committee to file reports with the Public Disclosure Commission and the county elections official regarding contributions received and expenditures made. Such a report must disclose contributions and expenditures for the period ending not more than 5 days prior to the date the report is due. Reports must be filed before and after elections including on the twenty-first day and seventh day immediately preceding an election.

The reports need not contain the name of persons contributing less than \$25.

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**HB 150**

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The candidate's or treasurer's books, accounting expenditures and contributions, and copies of reports filed must be available for public inspection during the 8 days immediately preceding an election for at least 2 consecutive hours Monday through Friday (excluding holidays) at the principal campaign headquarters, address of the treasurer, or other location authorized by the Commission. During this period, the books must be kept current within one business day.

**SUMMARY:**

For each contribution from a single person or entity exceeding \$500 that is received after the last report that is otherwise required to be filed before an election, a campaign treasurer shall file a special report with the Public Disclosure Commission. A political committee making such a contribution during this period shall also file the special report.

The written report shall be delivered within 24 hours of the time the contribution is made or received, or on the first working day after it is made or received. The report may be transmitted by telephone to satisfy the delivery requirement if a written form of the report is mailed and post-marked within the required period. The report shall include: the amount of the contribution; the date of receipt; and the name and address of the donor and of the recipient. The Commission may, by rule, require the report to include other information.

Rule Making Authority: The law delegates rule-making authority to the Public Disclosure Commission.

**VOTES ON FINAL PASSAGE:**

House 89 8  
Senate 28 20

EFFECTIVE: July 24, 1983

**HB 153**

C 96 L 83

By Representatives Pruitt, Barnes, Miller, Fisch, Fisher, Long, Zellinsky, Tanner, Sommers, Jacobsen, B. Williams, Kaiser, Armstrong, Ristuben, Wang, Lewis, Mitchell, Belcher, Patrick, Isaacson, Silver, Stratton, McDonald,

Todd, Moon, Halsan, Hine, Dellwo, Lux, Holland, Ebersole and Johnson

Establishing additional requirements for reports of transfers of funds by political candidates or committees.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

**BACKGROUND:**

State public disclosure law requires the campaign treasurer of a candidate or political committee to file reports with the Public Disclosure Commission and the county election official regarding contributions received and expenditures made. Such a report must include: the name and address of each political committee from which a transfer of funds was received or to which such a transfer was made, together with the amounts, dates and purpose of such transfers.

**SUMMARY:**

Information regarding each transfer of contributions from the campaign depository of one candidate to the campaign of another candidate shall be contained in a separate category of campaign disclosure reports under the title "Transfer of funds".

**VOTES ON FINAL PASSAGE:**

House 85 12  
Senate 28 20

EFFECTIVE: July 24, 1983

**HB 164**

C 177 L 83

By Representatives Braddock, Van Dyken, McMullen, Garrett and Vekich (By Governor Spellman Request)

Creating a commission to study the feasibility and desirability of state participation in the British Columbia World Exposition of 1986

House Committee on State Government

Senate Committee on State Government

BACKGROUND:

A world exposition or "Expo '86" is to be held in Vancouver, British Columbia, from May through October of 1986. The exposition will focus on transportation and communication, and its theme is "Man in Motion". Premier William R. Bennet has invited the State of Washington to participate with its own pavilion in the British Columbia exposition.

Approximately 13 million people are expected to attend Expo '86, most of whom will pass through Washington State on their way to or from British Columbia. In 1982 the legislature established a Joint Select Committee on Expo '86, to study the impacts and opportunities associated with being a neighbor to the host province of the exposition.

SUMMARY:

It is the intent of the Legislature that Washington should participate in Expo '86 in Vancouver, B.C. The presence of Washington State will be coordinated with efforts of the Department of Commerce and Economic Development, the Department of Transportation and the Washington State Patrol.

The World Fair Commission is created to study the feasibility and desirability of state participation in Expo '86. This study is to include impacts on Washington's border communities and transportation networks. If participation is deemed desirable, the Commission is directed to develop plans and recommend legislation. The Commission's conclusions are to be reported to the legislature by January 1, 1984.

The Commission is to be composed of nine members who will serve until June 30, 1987. These nine members include: (a) five members appointed by the Governor; (b) one senator from the majority party and one from the minority party, selected by the President of the Senate; and (c) one representative from the majority party and one from the minority party, selected by the Speaker of the House of Representatives. The Governor is to appoint an executive director for the Commission who shall serve at the Governor's pleasure. The Department of Commerce and Economic Development is to provide administrative and staff support for the Commission.

Members will serve without compensation except reimbursement for travel expenses, paid out of the State Trade Fair Fund. The executive director and one confidential secretary are exempt from the civil service laws.

The Commission will cease to exist on June 30, 1987.

Future Obligation: The World Fair Commission will file a report of its conclusions and recommendations with the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 1984.

Agency or Committee Created/Eliminated World Fair Commission is created

Termination Date: The World Fair Commission will cease to exist on June 30, 1987.

VOTES ON FINAL PASSAGE:

House	95	0	
Senate	46	1	(Senate amended)
House	90	0	(House concurred)

EFFECTIVE: July 24, 1983

**HB 174**

C 28 L 83

By Representatives Armstrong, Padden, Charnley, and Hastings

Requiring information about money judgments to be filed with the court clerk.

House Committee on Judiciary

Senate Committee on Judiciary

BACKGROUND:

A full or partial satisfaction of a money judgment must be recorded in the execution docket of the court clerk. The specifics of the judgment and the satisfaction date must also be recorded. Judgments are required to include specific information concerning the amount to be recovered, the relief granted, or other orders of the court.

SUMMARY:

A satisfaction of judgment for payment of money, in addition to current requirements, must clearly identify the parties, and contain other specified information concerning the satisfaction of judgment. A judgment for payment of money must include at the end a statement of specific items relating to the judgment. The statement is for the

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**HB 174**

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benefit of the county clerk in recording the judgment.

**VOTES ON FINAL PASSAGE:**

House 93 0  
Senate 47 0

EFFECTIVE: July 24, 1983

**HB 175**

C 97 L 83

By Representatives Sutherland, Todd, B. Williams, R. King, Belcher, Sayan, Gallagher, Isaacson, Zellinsky, Fisch, Powers, Charnley and Lux

Modifying the definition of "worker" as it pertains to workers compensation.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

At the present time, certain contractors in the electrical and construction trades are not considered "workers" (employees) for industrial insurance purposes if certain criteria are met. These criteria are intended to verify that the contractor is actually an "independent" businessperson, rather than an employee.

**SUMMARY:**

Certain persons contracting to do work in the electrical and construction trades are considered "workers" for industrial insurance purposes (not subcontractors) if the prime contractor supervises or controls the means by which the work results are accomplished or the manner in which the work is performed.

**VOTES ON FINAL PASSAGE:**

House 89 0  
Senate 28 12

EFFECTIVE: July 24, 1983

**SHB 177**

C 178 L 83

By Committee on Social & Health Services (Originally sponsored by Representatives Wang, Lewis, Kreidler, Ballard, Stratton, Broback, D. Nelson, Vander Stoep, Armstrong, Niemi, Pruitt, Mitchell, Dellwo, Braddock, Schoon, Chandler, P. King, Powers, Burns, Ristuben, Johnson, Garrett, Halsan, Tilly, Charnley, Locke, Sutherland, Tanner, Galloway, Holland, Lux, R. King, J. Williams, Long, Miller, Hine and Vekich)

Establishing a maximum initial temperature setting for water heaters.

House Committee on Social & Health Services

Senate Committee on Energy & Utilities

**BACKGROUND:**

Currently there is no requirement regarding the temperature setting of water heaters. Excessive tap and bath water temperatures, have in the past, caused severe burns. Frequent victims are children, the elderly and the handicapped. Also, excessive water temperatures waste energy resources.

**SUMMARY:**

New residential water heaters serving individual units are to be set at a temperature no higher than 120 degrees fahrenheit. Hot water systems may have higher reservoir temperature as long as the delivery temperature does not exceed 120 degrees fahrenheit. Upon occupancy by a new tenant, a landlord is to set the hot water temperature of the residential unit at 120 degrees fahrenheit, or less, or at the minimum setting, if it can not be set that low. Tenants or resident-owners are not prohibited from readjusting the setting. Landlords are not liable when readjustments are made. At least once a year, utility companies shall include in billings a statement recommending the established setting, and outlining setting requirements for newly rented residential unit. Manufacturers of water heaters shall attach a tag stating that settings above the preset temperature may cause burns and result in excessive energy consumption. Officials responsible for enforcing building codes may inspect for the presence of this tag. This act does not require or permit any inspection other than those otherwise established by law.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	42	4	(Senate amended)
House	95	2	(House concurred)

EFFECTIVE: July 24, 1983

**SHB 179**

C 179 L 83

By Committee on Judiciary (Originally sponsored by Representatives Appelwick and Armstrong)

Enacting the Uniform Unclaimed Property Act.

House Committee on Judiciary

Senate Committee on Judiciary

BACKGROUND:

Thirty-one states, including Washington since 1955, have used the Uniform Unclaimed Property Act. That act was adopted by the Uniform Law Commission in 1954, and revised in 1966 and again in 1981. The law is administered by the Department of Revenue. It provides that intangible property which has been unclaimed for specified periods of time will be presumed abandoned and will be transferred from the holder of the property to the state. The former holder's liability for the property is ended by the transfer. The property, though held by the state, still belongs to the owner and may be claimed at any time. Common examples of unclaimed property are dormant bank accounts and unclaimed proceeds from life insurance policies.

The law was amended in 1981 to reduce several of the presumptive periods of abandonment. Those reductions were part of the 1981 changes recommended by the Uniform Law Commission.

SUMMARY:

Most of the remaining changes in the 1981 Uniform Law Commission recommendations are adopted.

Many technical changes in the operation of the unclaimed property act are made. In addition three major changes involve interstate jurisdictional disputes, auditing and enforcement by the

Department, and express inclusion of underlying corporate stock as potentially abandoned property.

The U.S. Supreme Court held that in disputes between states over unclaimed property, the state of the owner's last known address, as shown by the books of the holder, will have jurisdiction. This method of determining state court jurisdiction is adopted.

The Department of Revenue is allowed to examine the records of property holders at reasonable times after reasonable notice. The requirement that the Department have reason to believe abandoned property is being held has been removed. If an audit reveals property that should have been reported or delivered to the Department, the holder may be charged the cost of the audit, at \$140/day/auditor, up to the lesser of \$3,000 or the value of any property discovered.

Failure to pay or deliver property in a timely manner results in interest being assessed on the property at the higher of 12 percent or four percent above the 26-week treasury bill rate. Willful failure to comply with the law may result in civil penalties of \$100 per day, up to \$5,000, plus 100 percent of the value of any property not reported or delivered. Willful refusal to comply after written demand by the Department is a gross misdemeanor.

Stock and other intangible interests in a business are expressly included in the law. Such property is considered abandoned only after at least a seven year period during which at least seven successive dividends or distributions were unclaimed by the owner.

The statute of limitations applicable to the Department is reduced from ten to six years. The presumptive period for abandoned property held by governmental entities is increased from one to two years. Parimutuel tickets are exempted from the law.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	40	4	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: June 30, 1983



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**HB 180**

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**HB 180**

C 139 L 83

By Representatives Stratton and Tilly (By Parks and Recreation Request)

Removing the termination provision for the snowmobile advisory committee.

House Committee on Environmental Affairs

Senate Committee on Parks and Ecology

**BACKGROUND:**

In 1979, legislation was enacted which established the Snowmobile Advisory Committee to assist the Washington State Parks and Recreation Commission in the administration of the snowmobile program and on the development of snowmobile facilities.

The committee consists of twelve voting members. Nine members are appointed by the Commission with six representing snowmobilers and three representing non-snowmobiling winter recreationists. One member represents the Department of Natural Resources, another the Department of Game, and the final member represents Washington State Association of Counties. A representative of the Commission and another of the Department of Licensing serve as nonvoting members of the Committee.

The legislation which established the Committee stipulates that the Committee is to be reviewed through the sunset process in 1982 and is to terminate on June 30, 1983. The sunset process includes an audit of the Snowmobile Advisory Committee by the Legislative Budget Committee (LBC) and a review of the audit by the Office of Financial Management (OFM).

The LBC has completed the audit of the Snowmobile Advisory Committee. In the audit report the LBC concludes that the Committee provided valuable assistance to the Commission, complied with legislative intent, and operated efficiently and effectively. The LBC also recommends in the audit report that the Legislature reinstate the Snowmobile Advisory Committee without modifications and extend the existence of the Committee indefinitely. The audit report conclusions and recommendations have been endorsed by OFM.

**SUMMARY:**

The June 30, 1983, termination date for the Snowmobile Advisory Committee is extended to June 30, 1989. The committee will be reviewed through the sunset process in 1988.

Termination Date: The Snowmobile Advisory Committee is subject to the sunset review procedures and will cease to exist on June 30, 1989, unless extended by law.

**VOTES ON FINAL PASSAGE:**

House	80	12
Senate	43	4

**EFFECTIVE:** July 24, 1983

**HB 183**

C 140 L 83

By Representatives McMullen, Clayton and Sutherland (By Department of Transportation Request)

Revising eminent domain laws.

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

Washington is the only state that does not provide for the date of valuation in eminent domain proceedings as being the date the state acquires the order for possession and use. This results in the state incurring increased costs, as a result of inflation, brought about in part by delays in setting trial.

**SUMMARY:**

The date of valuation in eminent domain proceedings is changed from the date of trial to the date that possession and use is obtained. Expedited trials in eminent domain proceedings are permitted. Only eminent domain takings where there has been a stipulated possession and use by the state for highway purposes are affected.

**VOTES ON FINAL PASSAGE:**

House	67	27
Senate	35	13

EFFECTIVE: July 24, 1983

**HB 184**

C 29 L 83

By Representatives McMullen, Clayton and Sutherland (By Department of Transportation Request)

Authorizing the DOT to make contracts.

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

A recent Court of Appeals decision (Barendregt v. Walla Walla School District, 26 Wn. App. 246 (1980)) has held that state agencies may not place indemnification clauses in their contracts without express statutory authority. The Department of Transportation (DOT) seeks a legislative grant of permissive authority to include indemnity provisions in its contracts with its contractors.

**SUMMARY:**

Statutory powers of the DOT are expanded to enable it to include in any of its contracts indemnity provisions by which the Department will agree to indemnify the other contracting party against specific losses and damages which arise out of the performance of the contract.

**VOTES ON FINAL PASSAGE:**

House	96	0	
Senate	42	3	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: April 18, 1983

**HB 185**

C 180 L 83

By Representatives McMullen, Wilson and Sutherland (By Department of Transportation Request)

Revising highway routes.

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

Housekeeping changes in existing state highway route descriptions are needed periodically to reflect new routes or termini adjustments on existing routes. The Department of Transportation (DOT) periodically prepares departmental request legislation to revise the statutory descriptions of state highway routes to more accurately reflect recent changes in highway alignment.

Two route descriptions changes were proposed by the DOT:

(1) State Route 12 (SR 12). Through an agreement with the DOT and local governmental entities, operations and maintenance responsibility for a 42-mile section of SR 12 is being relinquished to local government jurisdiction as parallel sections of Interstate 82 (I-82) are completed. Except for two small segments, the entire section from Union Gap to Prosser has been turned over to local jurisdictions. This action requires deletion of the 42-mile segment from the description of SR 12.

(2) State Route 109 (SR 109). On June 16, 1982, the Transportation Commission adopted a bypass route as requested by the city of Hoquiam. The city has agreed to provide the right-of-way for the proposed 1.8-mile bypass. This action requires addition of a bypass description to SR 109.

Two other routes were addressed by the Legislature:

(1) State Route 251 extends 11 miles from an intersection with State Route 25 at Northport to the Canadian border near the town of Boundary. This route is not a major border crossing for traffic going into Canada along SR 25.

(2) State Route 291 begins at a junction with State Route 2 in Spokane and extends 11 miles in a northwesterly direction along the Spokane River to the Spokane/Stevens county line. A road belonging to the county of Stevens continues 22 miles along the north side of the river, passing through Tumtum, to a junction with SR 231.

**SUMMARY:**

The proposed legislation updates four state highway route descriptions:

(1) A section of State Route 12 (SR 12) is deleted from the state highway system. Deletion begins at the SR 12 junction with I-82 near Union Gap,

thence southeasterly by way of Zillah, Granger, Sunnyside, and Grandview to a second junction with I-82 in the vicinity of Prosser.

(2) A bypass route in the vicinity of Hoquiam is added to the description of State Route 109 (SR 109). The bypass route will begin at a junction with State Route 101 (SR 101) in the vicinity of Hoquiam's north city limits, thence southwesterly to a junction with SR 109 in the vicinity of the Hoquiam west city limits.

(3) State route 251 is deleted from the state highway system and the 11 miles of highway are returned to Stevens County as a county road.

(4) State Route 291 is extended 22 miles along the north bank of the Spokane River through Tumtum to a junction with SR 231 in the vicinity of Little Falls Dam.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	46	0	(Senate amended)
House	95	0	(House concurred)

EFFECTIVE: July 24, 1983

**SHB 187**

C 60 L 83

By Committee on Social & Health Services (Originally sponsored by Representatives Kreidler, Lewis, Heck, Broback, Dellwo, McClure, Ballard, Wang, Niemi, Sanders, Belcher, Braddock and Patrick)

Modifying provisions concerning services for the handicapped.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

BACKGROUND:

Summary of Programs: Washington's developmental disabilities program is administered at the state level by the Division of Developmental Disabilities, Department of Social and Health Services (DSHS).

DD Services are provided through two categories: Residential Habilitation Centers (RHCs) and field

services. There are six RHCs (e.g. Rainier School, Lakeland Village, Frances Haddon Morgan Center) plus the schools for the blind and deaf. There are approximately 2150 residents in these facilities. Field services involve client intake and eligibility determination, plus a variety of services including employment/training, group homes, and child development. County governments, through community boards, contract for some of these services. There are approximately 9,500 DD clients receiving field services.

Eligibility for DD services is based on the following criteria (WAC 275-27-030): a) mental retardation; or b) cerebral palsy, epilepsy, autism, auditory impairment, or visual impairment having the following additional characteristics: i) originates before such person reaches age 18; ii) has continued or can be expected to continue indefinitely; and iii) constitutes a substantial handicap to such individual's ability to function normally in society. (This definition is currently under revision) Under current policy there is no method whereby a developmentally disabled person or parents of a developmentally disabled person can independently develop a placement and service plan; presently this is done by field services in conjunction with the developmentally disabled child and family.

In a separate issue, currently home aid services are provided only to families with developmentally disabled children and not to DD parents. Sometimes a DD parent can have difficulty in raising their child, and on a few occasions their children have been placed in foster care or up for adoption.

SUMMARY:

Developmentally disabled persons and parents of DD children may propose an alternative service plan. If one is proposed, the secretary of DSHS then has 90 days to determine that: a) the plan is less dependent than the current program; b) the DD clients goals will be met; c) the plan does not violate the care; d) service can be made available; and e) the plans are not more costly. If these criteria are met, the plan will be implemented within 120 days. The secretary must advise the legislature, within one year of the effective date of this act, of the denials made and the basis for such action, and submit explicit criteria for determining cost guidelines.

The statute that establishes home aid services is amended to extend eligibility to DD parents who are at risk of losing their children.

VOTES ON FINAL PASSAGE:

House 87 0  
Senate 44 0

EFFECTIVE: April 21, 1983

**SHB 189**

C 61 L 83

By Committee on Local Government (Originally sponsored by Representatives Wang and Smitherman)

Modifying provisions for the issuance and sale of bonds by metropolitan park districts.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

Existing law authorizes metropolitan park districts to contract general indebtedness without a vote of the district voters, but does not specify the manner in which such indebtedness may be contracted. Existing law also authorizes metropolitan park districts to contract additional general indebtedness with a vote of the district voters, and specifies that such indebtedness may be incurred by issuing bonds.

SUMMARY:

Metropolitan park districts are permitted to contract general non-voter approved indebtedness by issuing warrants, short-term notes or G.O. bonds. District bonds may be issued and sold in the manner that all local government bonds are issued and sold.

VOTES ON FINAL PASSAGE:

House 97 0  
Senate 40 8

EFFECTIVE: July 24, 1983

**SHB 197**

C 181 L 83

By Committee on Judiciary (Originally sponsored by Representatives Crane, Todd, Grimm, Tanner, Jacobsen, Armstrong, P. King, Silver, Isaacson, Halsan, Fisch, Holland, Long and Johnson)

Excusing prospective jurors who have already served twice in the last five years.

House Committee on Judiciary

Senate Committee on Judiciary

BACKGROUND:

Any person who is called for jury service is required to serve unless he or she is able to prove some compelling reason for an excuse from service.

SUMMARY:

An additional reason for excuse from jury service in Class AA and Class A counties would be that the person called for jury service has been called twice in the previous five years. Jury service in any of this state's courts or in United States District Court would be included. A person would be required to make a written request to be excused from service.

VOTES ON FINAL PASSAGE:

House 95 0  
Senate 48 0 (Senate amended)  
House 96 0 (House concurred)

EFFECTIVE: July 24, 1983

**HB 198**

C 39 L 83

By Representatives Pruitt, Vander Stoep, Kreidler, Charnley, Sayan, Mitchell, Garrett, Tilly, Ristuben, Van Dyken, Powers, Johnson, Burns, Schmidt, Jacobsen, Broback, Zellinsky, Nealey, Smitherman, Clayton, Fuhrman, Taylor, Barnes, Vekich, Halsan, Sutherland, Isaacson, Fisch, Betrozoff, Fisher, Holland, Braddock, Schoon, McClure, Ballard, Niemi, Brough, Stratton, J. Williams, Haugen, Egger, Crane, Silver, Rust,

Cantu, Tanner, Wilson, Belcher, Locke, Lux, Wang, O'Brien, Hine, Heck, Dellwo, Padden, Ellis, Ebersole, Addison, D.Nelson, Patrick, Long, Todd, McMullen, and Hankins

Modifying laws regulating fitting and dispensing hearing aids.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

BACKGROUND:

The Department of Licensing, together with representatives from the hearing aid industry, senior citizens groups, and other interested organizations have all identified portions of the law regulating hearing aid fitting and dispensing which need to be improved. A task force drawn from these organizations has developed this proposal which addresses the major concerns which have been endorsed by all the participants in this process.

SUMMARY:

Membership on the Council of Hearing Aids is expanded from seven to nine members. The Council is given the responsibility to oversee the regulation of hearing aid fitting and dispensing. The members will be reimbursed for travel expenses and paid \$35 per day. Every establishment engaged in the fitting and dispensing of hearing aids is required to file a surety bond of ten thousand dollars or an appropriate negotiable security in lieu of the bond. The selling of hearing aids over the phone or by mail order without a face-to-face contact is prohibited. Unlicensed persons are prohibited from fitting, dispensing, or implying that they can fit and dispense hearing aids. Licensed fitters and dispensers are required to provide the consumer with a full cost disclosure of all expenses related to the purchase of a hearing aid. The causes for imposition of disciplinary action against licensees are expanded and clarified.

Revenue: \$6,364 per biennium

Rule Making Authority: The bill delegates rule-making authority to the council on hearing aids.

VOTES ON FINAL PASSAGE:

House 98 0
Senate 44 1

EFFECTIVE: July 24, 1983

HB 203

C 182 L 83

By Representatives Lux, Sanders and Garrett

Modifying provisions on underinsured motor vehicle coverage.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

BACKGROUND:

Washington's Underinsured Motorists (UIM) law requires automobile insurance companies to offer underinsured motorists insurance to the public. This insurance provides compensation for bodily injury or property damage caused by a negligent motorist who is either uninsured or underinsured. The law does not define "property damages."

While an insured may reject the coverage, the law does not specify how this rejection should be accomplished.

A person who is responsible for an auto accident is not liable to pay for damages if his automobile insurer becomes insolvent during the term of the policy.

SUMMARY:

"Property damage" is defined for the purposes of the UIM law to mean damage to motor vehicles.

Whenever a person rejects UIM insurance offered in a new policy issued after the effective date of this Act, the rejection must be in writing.

A person whose automobile insurer becomes insolvent is not responsible for the amount his insurer would have paid absent the insolvency.

VOTES ON FINAL PASSAGE:

House 87 2
Senate 47 0 (Senate amended)
House 94 1 (House concurred)

EFFECTIVE: July 24, 1983

**SHB 207**

C 19 L 83

By Committee on Transportation (Originally sponsored by Representatives Stratton, Egger, Dellwo, Barrett, Lewis, Garrett, J. Williams, Martinis, Gallagher, Sanders, Clayton, Wilson, Betrozoff and Patrick)

Revising regulation of signs near railroad grade crossings.

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

Sign placement along highways and county roads which intersect railroad grades are restricted by law. Signs may not be erected or maintained if placed within 500 feet of the intersection; and with regard to county roads, there is an additional requirement that the sign may not obstruct the view or distract the attention of the person operating a vehicle or train approaching the crossing. Other provisions applicable to both state and county roads require brush and trees to be cleared in an area 100 feet from the intersection in a manner which removes obstructions from the view of a person traveling upon the road. The Washington Utilities and Transportation Commission is required to enforce these restrictions.

However, there are numerous instances throughout the state where on-premise signs, as well as billboards, are located within 500 feet of railroad crossings or sidings, in violation of current law. The 500-foot restriction is considered by some to be too restrictive.

**SUMMARY:**

The 500-foot area in which a sign may not be placed has been stricken. Outside the corporate limits of a city, a sign is unlawfully erected or maintained if it is within a distance of 100 feet from the point of intersection of the road and railroad grade crossing, unless the county legislative authority or Department of Transportation determines that the sign does not obscure the view of a person approaching the grade crossing. A 30-day notice to the Washington Utilities and Transportation Commission and the railroad operating the

crossing is required prior to such determination being made.

**VOTES ON FINAL PASSAGE:**

House	97	1
Senate	45	1

**EFFECTIVE:** July 24, 1983

**HB 208**

C 141 L 83

By Representatives Vekich, Hankins, O'Brien, Hastings, Haugen, and Powers (By Department of General Administration Request)

Increasing the maximum amount which state agencies, colleges, and universities may purchase without competition.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Existing law requires that a competitive bid process be used when purchasing most materials, supplies, services and equipment for state agencies, offices of appointed or elected officials, the supreme court, the court of appeals, colleges and universities.

Formal, sealed bid procedures are generally required with the following exceptions: emergency purchases, purchases for which there is a single source, purchases of insurance and bonds by the Risk Management Office, certain purchases and contracts for vocational rehabilitation clients from the Department of Social and Health Services, certain purchases by universities for hospital operations and purchases not exceeding \$2,500.

For purchases not exceeding \$2,500, the following procedures apply: (1) purchases ranging from \$400 to \$2500 require quotations from enough vendors to ensure a competitive price; and, (2) "Direct buy" purchases (requiring no competitive bids of any kind) are authorized for purchases costing \$400 or less. The original "direct buy limit" was set at \$200, however, the State Supply Management Advisory Board was authorized to incrementally raise this "direct buy limit" to a maximum

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**HB 208**

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of \$400 in order to keep up with inflation. Each increase in the direct buy limit requires a unanimous vote by all members of the State Supply Management Advisory Board. The direct buy limit was set at the \$400 maximum in 1975.

**SUMMARY:**

Existing statutes are updated by establishing the current direct buy limit at \$400. It then authorizes the State Supply Management Advisory Board to incrementally increase the limit to a maximum of \$800 as required to keep up with inflation. Increases in the direct buy limit must be approved by at least ten members of the State Supply Management Advisory Board.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	45	0

EFFECTIVE: July 24, 1983

**HB 216**

C 30 L 83

By Representative Martinis

Updating the Model Traffic Ordinance.

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

The Washington Model Traffic Ordinance (MTO) was enacted in 1975 to provide a comprehensive and uniform traffic laws guide within the state. It is a listing of all state traffic laws, and can be adopted, by reference, by any local authority to serve as its local traffic ordinance. A local authority may adopt the MTO in full or in part, and may at any time exclude any section or sections it does not wish to include in its local traffic ordinances.

The addition of any new section, amendment or repeal of an existing section in the Model by the Legislature automatically amends any city, town or county ordinance which has been adopted by reference. This makes it unnecessary for the legislative authority of any city, town or county to take action with respect to any additions, amendments or repeals.

Periodically, the Model needs to be updated to reflect legislative changes in state traffic laws.

**SUMMARY:**

The MTO is updated to reestablish consistency between referenced statutes in the MTO and existing state traffic laws as codified.

Three statutes enacted during the 1981 and 1982 Legislative Sessions are added to the MTO. Seven statutes relating to snowmobiles are also included.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	46	0

EFFECTIVE: April 18, 1983

**HB 219**

C 40 L 83

By Representatives Tanner, Holland, B. Williams, Ebersole, Ellis, J. Williams, Schoon, Silver, Powers, Miller, Long, Ristuben, Martinis, Galloway, Addison, Todd, Sayan, Schmidt, and Hankins

Revising the law relating to merchandise coupons.

House Committee on Commerce & Economic Development

Senate Committee on Commerce & Labor

**BACKGROUND:**

Generally, Washington law prohibits a manufacturer or any person or firm from using trading coupons without first obtaining a license. For purposes of this prohibition, a trading coupon is a coupon which entitles a purchaser to obtain goods either free or for less than the retail price. The license is obtained from the county auditor and a separate license must be obtained for each store in which the coupons are to be used. The license fee is \$6,000 per year. The only exemption from the license requirement is for certain kinds of coupons which are included in the manufacturer's "original package" containing goods sold under the manufacturer's trademark or tradename and which are redeemable by the manufacturer. This exemption does not apply, however, to coupons

included in packages containing milk, milk products or poultry.

**SUMMARY:**

The circumstances in which trading coupons can be used without obtaining a license are expanded as follows: A license is not required for coupons included in a newspaper or other publication. The "original package" exemption is broadened to include (1) coupons included in "original packages" containing milk, milk products or poultry; and (2) coupons in "original packages" which are not redeemed by the issuing manufacturer but are guaranteed by that manufacturer, and which contain the name and address of the redeeming manufacturer.

**VOTES ON FINAL PASSAGE:**

House	90	1
Senate	44	1

**EFFECTIVE:** July 24, 1983

**2SHB 226**

C 20 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brække, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough)

Providing for the establishment of export assistance centers.

House Committee on Commerce & Economic Development and Ways & Means

Senate Committee on Commerce & Labor

**BACKGROUND:**

Under a federal grant the Economic Development Council of Puget Sound (EDC) conducted an export development study for the state. It found that fewer than one in ten of United States manufacturing firms now sells a portion of its production

abroad. It also found that most of the potential exporters are small or medium-sized businesses, and that their reasons for not exporting include lack of initiative, insufficient knowledge of how to export and limited availability of export financing from conventional financing sources.

While much information on exporting is available from various scattered federal and state agencies, there is no central place where a prospective exporter can go to get individual help, information and export financing.

The EDC study identified 50 statewide firms that produce goods having export potential. To materially increase exports, financing would have to be at a rate well below today's high borrowing rates. The study ascertained that a lack of available and competitively-priced financing has held back export growth in the state, particularly for established small and middle-sized businesses.

**SUMMARY:**

The creation of an export assistance center, with branches, is authorized. The center will be governed by a board composed of 11 members appointed by the governor. The purposes of the center are to (1) assist small and medium-sized businesses in financing their exports; (2) provide information about export opportunities and financing; and, (3) assist businesses interested in organizing export trading companies under the U.S. Export Trading Company Act of 1982.

In order to carry out these purposes, the center may (1) solicit and accept grants and contributions; (2) make loans to businesses with annual sales of \$25 million or less where a financial institution assures the Center that loans are otherwise not available; and, (3) provide guarantees on loans made by financial institutions to businesses with annual sales of \$100 million or less.

The Department of Commerce and Economic Development (DCED) shall contract on a one-time basis with the Center to provide export assistance services for the 1983-85 biennium.

Future Obligation: DCED shall report to the governor and legislature by October 1, 1985 about the Center's activities and DCED shall report to the Center by September 1, 1983 about products and services sought by foreign markets.

Appropriation: \$206,000



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## 2SHB 226

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Agency or Committee Created/Eliminated An Export Assistance Center with authority to establish one branch.

### VOTES ON FINAL PASSAGE:

Regular Session  
House 78 16

First Special Session  
House 63 31  
Senate 25 24 (Senate amended)  
House 64 31 (House concurred)

EFFECTIVE: August 23, 1983

## 2SHB 231

C 21 L83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Hine, McDonald, Prince, J. King, Allen, Wang, Pruitt, Sayan, O'Brien, Appelwick, Sutherland, Todd, Burns, Ellis, Silver, Isaacson, Dellwo, Tanner, Brekke, Holland, Powers and Garrett)

Establishing a job skill program.

House Committee on Commerce & Economic Development and Ways & Means

Senate Committee on Education and Ways & Means

### BACKGROUND:

The Washington State economy is in the process of going through significant structural changes. Traditional manufacturing and resource industries are to some degree declining while new industries are rising. This has changed the nature of the job market. The demand for more traditional skills has declined contributing to increased unemployment. Meanwhile, the demand for new technical skills has increased and in some cases firms have complained of a lack of supply of skilled workers. This problem could indicate a need for retraining of the work force as well as for some changes in the orientation of the state education system.

In Massachusetts, the Bay State Skills Corporation (BSSC) funds training programs targeted at the needs of the state's growing industries. In order for educational institutions to receive grants from

BSSC, their programs must be supported by equivalent private sector contributions. Starting with \$2 million in state funds, BSSC, in its first year of operation, has raised \$3 million in private contributions.

### SUMMARY:

A job skills program within the Commission on Vocational Education or its successor agency is established. The program is designed to provide grants to educational institutions to fund skill training programs which are targeted to the state's growing industries. Educational institutions are required to match any grants with equal private sector support. The job skills program is modeled after the Bay State Skills Corporation.

The intent of the measure is to provide customized job training for workers where there is a demonstrable need for a skills program as evidenced by support from business and industry. The training program is oriented towards providing a rapid response to new employment and training opportunities.

Educational institutions receiving grants are required to work with the commission and the Employment Security Department to ensure that potential trainees are identified who are victims of economic dislocation, economically disadvantaged or from minority groups.

The employment security department is required to identify areas of high unemployment, perform labor markets analyses, and assist in identifying and recruiting trainees.

The Commerce and Economic Development Department is required to assist the commission in marketing the program to private industry and referring businesses to the commission. Out-of-state industries may participate in the program provided they give adequate assurances of location in the state.

A trainee may receive unemployment compensation while enrolled in the job skills program, but only if the commissioner of employment security has determined that the job skills program is necessary for employment of the trainee.

Appropriation: \$3.5 million

Agency or Committee Created/Eliminated Creates the Job Skills Program within the Commission on Vocational Education

## VOTES ON FINAL PASSAGE:

Regular Session

House 87 7

First Special Session

House 84 10

Senate 47 1 (Senate amended)

House 84 9 (House concurred)

EFFECTIVE: August 23, 1983

**SHB 232**

C 183 L 83

By Committee on State Government (Originally sponsored by Representatives O'Brien, Hankins, Belcher, Silver, Lux, Isaacson, Johnson, and By Department of General Administration Request)

Adding a premium to bids from vendors whose states have an in-state preference.

House Committee on State Government

Senate Committee on State Government

## BACKGROUND:

The term "vendor-preference" is used to describe a situation whereby certain states, when evaluating bids, give their in-state vendors a preference or advantage over competing out-of-state vendors. The preference can take many forms. Some states simply "set aside" business for local firms, while other states either add a certain percent (usually five percent) to the out-of-state vendor's bid or subtract a certain percent from the in-state vendor's bid.

Thirty-nine states have some form of vendor preference. Seventeen of those states, including Washington, give a preference to in-state vendors only for specific items. Twelve states give some form of preference to their vendors only when they are competing with out-of-state vendors who receive preferential treatment from their own state. This latter form of vendor preference, based upon the concept of reciprocity, may act to discourage other states from exercising vendor preferences by penalizing their vendors when they bid in other states.

## SUMMARY:

The Director of the Department of General Administration shall maintain a list of the statutes and regulations of other states which grant in-state preferences in state government purchasing. The Director is required to issue rules which would provide that in appropriate circumstances a reciprocity premium be added to bids of vendors from states having in-state preferences.

Rule Making Authority: The Department of General Administration is granted authority to issue reciprocity rules.

## VOTES ON FINAL PASSAGE:

House 93 2

Senate 45 1 (Senate amended)

House 93 1 (House concurred)

EFFECTIVE: July 24, 1983

**SHB 233**

C 284 L 83

By Committee on Natural Resources (Originally sponsored by Representatives Haugen, Miller, Halsan and Braddock)

Establishing a commercial anadromous game fish buyer's license and extending the excise on food fish and shellfish to commercially-harvested anadromous game fish.

House Committee on Natural Resources

Senate Committee on Natural Resources

## BACKGROUND:

Steelhead, sea-run cutthroat trout and Dolly Varden char are classified as game fish. However, they are taken commercially by treaty Indians.

Wholesale dealers of these fish are not subject to licensing requirements, nor are these fish subject to the fish excise tax which applies to other fish sold commercially.

## SUMMARY:

"Anadromous game fish" is defined to include steelhead trout, anadromous cutthroat trout and Dolly Varden char.

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## SHB 233

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An anadromous game fish buyer's license is required of a person who purchases or sells Indian-caught anadromous game fish. The license fee is \$100.

Anadromous game fish are subject to the fish excise tax at the 5% rate.

Proceeds from the license and taxes are deposited to the state game fund.

Revenue: A \$100 license fee is required for anadromous game fish dealers and the fish are subject to the fish excise tax at the 5% rate.

### VOTES ON FINAL PASSAGE:

House	93	5	
Senate	45	2	(Senate amended)
House	87	0	

EFFECTIVE: July 24, 1983

## SHB 234

### PARTIAL VETO

C 53 L 83 E1

By Committee on Transportation (Originally sponsored by Representatives Martinis and Isaacson, and By Governor Spellman Request)

Adopting the transportation budget.

House Committee on Transportation

Senate Committee on Transportation

### BACKGROUND:

The legislature must make biennial appropriations for each agency's operational budget and capital improvements. The omnibus transportation budget provides funding for the Transportation Commission, Department of Transportation, Traffic Safety Commission, Board of Pilotage Commissioners, Department of Commerce and Economic Development (Motor Vehicle Fund only), County Road Administration Board, Urban Arterial Board, Washington State Patrol (Motor Vehicle Fund only), and the Legislative Transportation Committee.

### SUMMARY:

Appropriations are provided for transportation agencies. Funding is provided for the Rural Arterial Program as well as for the continuation of the Urban Arterial Board's Series III bonds

\$30,463,000 of federal and local funds are added for the completion of the West Seattle Bridge and maintenance of the Hood Canal Bridge.

\$400,000 of federal emergency relief funds are added for construction on the east half of the Hood Canal Bridge.

The implementation of new programs by Commerce and Economic Development beyond those funded in the current biennium is prohibited, pending receipt by the Legislative Transportation Committee of a special audit to be conducted by the State Auditor.

References to the 1983 regular session are amended to delete the word regular.

Transfer authority between construction programs is not permitted. Transfers may be made from management programs to construction.

This bill contains appropriations for transportation-related agencies for the 1983-85 biennium totaling \$1,477,710,000.

### VOTES ON FINAL PASSAGE:

Regular Session  
House 75 23

First Special Session  
House 64 31  
Senate 26 22 (Senate amended)  
House 66 28 (House concurred)

EFFECTIVE: May 23, 1983

### PARTIAL VETO SUMMARY:

The Governor vetoed the requirement that the Transportation Commission reduce tolls on the Hood Canal Bridge from \$2.50 to \$2.00. On April 21, 1983 the Commission adopted this reduction therefore this language was not necessary. (See VETO MESSAGE)

**SHB 235**

C 49 L 83 E1

By Committee on Transportation (Originally sponsored by Representative Martinis and By Governor Spellman Request)

Modifying gas tax provisions ('83-'85 Biennium).

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

Under the variable fuel tax rate formula adopted by the legislature in 1981, the state motor vehicle fuel tax rate is set at a level equal to 10 percent of the statewide average retail price of fuel (exclusive of state and federal taxes). However, the rate cannot fall below a statutorily set minimum of 12 cents/gallon, or exceed a maximum of 16 cents/gallon. The present fuel tax rate is the 12 cents/gallon minimum rate.

Revenues from the fuel tax are earmarked for highway purposes (required by the 18th Amendment to the State Constitution). They are distributed to the state and local governments according to the following formula:

Recipient	% Share of Fuel Tax Revenues
Cities .....	11.53%
Counties .....	22.78%
Urban Arterial Board .....	7.12%
(for state-funded urban arterial program)	
State Ferry System .....	6.36%
State (for Department of .....	52.21%
Transportation operating and capital programs, other state agencies, and highway bond retirement)	
	100.0%

When the variable fuel tax rate formula was adopted in 1981, it was anticipated that a tax rate of 16 cents would be in effect during the 1983-1985 biennium. However, current projections of fuel prices indicate that the rate will remain at 12 cents/gallon during the 1983-1985 period. Thereafter, it is projected to increase only to 15 cents/gallon by the end of the 1983-1989 six-year period.

Since 1967, the state has helped cities and counties fund improvements for urban arterials included in their road systems. The urban arterial improvement program is administered by the Urban Arterial Board (UAB). A portion of the state fuel tax is earmarked for this program. The earmarked revenues are used primarily to meet debt requirements on bonds issued to fund urban arterial projects approved by the UAB prior to the 1981-1983 biennium. These revenues have fallen short of 1981-1983 bond debt requirements by about \$2.6M. This deficit has been covered by fuel tax shares of the state, cities, and counties which must be repaid by the UAB in the future. Projected 1983-1985 earmarked revenues are not sufficient to allow the UAB to implement the Series III \$100 million bond authorization for the urban arterial program that the legislature provided in 1981.

Counties have proposed that the state establish a rural arterial improvement program that would be similar to the existing urban arterial program. The new program would provide state funding assistance to counties for improvements to major rural roads in the county road system. The principal expressed reason for this proposal is that existing sources of revenue do not give many counties sufficient funds to upgrade major rural roads to satisfactory performance and safety standards.

**SUMMARY:**

A rural arterial program (RAP) is established, administered by the existing County Road Administration Board (CRAB). A Rural Arterial Trust Account within the Motor Vehicle Fund is established, from which appropriations are to be made for the program.

Appropriated funds are apportioned among five regions of the state (same regions as those used for the urban arterial program) by the following formula: one-third on the basis of each region's share of the total rural land area in the state, and two-thirds on the basis of each region's share of the total statewide mileage of county major and minor collector roads in rural areas.

Specific rural arterial projects to be funded with each region's share of available funds are determined by CRAB. Specific project selections are based on priority ratings of projects included in counties' six-year road programs.

Counties' matching fund requirements for projects receiving RAP funds are determined by CRAB.

subject to approval by the Transportation Commission.

Past deficits on the Urban Arterial Board (UAB) Series I and II bond program debt payments do not have to be repaid before the UAB's share of new fuel tax revenues can be used to implement the Series III bond program. The state will pay 60 percent of any fuel tax subsidy needed to meet debt requirements on the Series III program.

The existing motor vehicle fuel tax exemption for alcohol is limited to alcohol produced from renewable resources. The exemption also is limited to alcohol produced in Washington or in other states which extend their alcohol fuel tax exemptions to Washington-produced alcohol.

The present variable fuel tax is repealed and replaced with a flat rate, cents-per-gallon tax. Beginning July 1, 1983, the tax rate will be 16 cents/gallon; on July 1, 1984, it increases to 18/gallon. Revenue from three cents of the four cent increase on July 1, 1983, and from the two cent increase on July 1, 1984, will be shared according to the present distribution formula (see "Background" section). Revenue from the additional one cent increase on July 1, 1983 will be divided equally among state highway construction programs, the Urban Arterial Program, and the Rural Arterial Program.

The fuel tax rates in effect during the 1983-85 biennium are expected to generate about \$644 million for distribution to the state and local governments. This amount is \$175 million greater than the amount provided if the variable tax rate formula had been retained.

Revenue: The tax on motor vehicle fuel is increased by four cents per gallon on July 1, 1983, and by an additional two cents per gallon on July 1, 1984.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>			
House	64	33	
<u>First Special Session</u>			
House	60	35	
Senate	25	23	(Senate amended)
House	55	37	(House concurred)

EFFECTIVE: July 1, 1983

HB 239

C 33 L 83 E1

By Representatives Pruitt, Barnes, Fisch, Miller, Long, Schoon, Patrick, Fisher, Jacobsen, Zellinsky, Silver, Belcher, Isaacson, Vekich, Dellwo, Tanner, Todd, Schmidt and Crane

Regulating exit polling.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

BACKGROUND:

State law prohibits, on election or primary days, electioneering or the circulation of handbills or petitions within a polling place, the building in which an election is held, or within 100 feet of such a building. No person may obstruct the entrances to such a building or prevent free ingress to or egress from it. Persons other than election judges or inspectors are prohibited from delivering ballots to or receiving ballots from voters. Election officers, constables, and other peace officers are authorized to prevent obstructions and to arrest those causing obstructions.

Violations of these provisions are misdemeanors punishable by a fine of not more than \$100 and the costs of prosecution.

The polling of voters by or for news reporting services regarding how the voters cast their ballots has reportedly occurred within polling places in this state.

SUMMARY:

On an election or primary day, the following are prohibited within a polling place or in any public area within three hundred feet of an entrance to a polling place: interfering with voting, disrupting the administration of the polling place, soliciting petition signatures, electioneering, or conducting an opinion poll with voters.

Violations of these and other provisions of law regarding activities at polling places are misdemeanors punishable by imprisonment for not more than 90 days, or by a fine of not more than \$1,000, or by both.

Obstructions at polling places may be prevented by law enforcement officers.

VOTES ON FINAL PASSAGE:

Regular Session

House 94 1  
 Senate 45 3 (Senate amended)

First Special Session

House 91 3  
 Senate 33 6 (Senate amended)  
 House (House refuses)

Free Conference Committee

Senate 40 1  
 House 92 3

EFFECTIVE: August 23, 1983

**SHB 240**

C 71 L 83 E1

By Committee on Constitution, Elections & Ethics  
 (Originally sponsored by Representatives Heck,  
 Vander Stoep, J. King, Lewis, Brekke, Patrick,  
 Fisch, Fisher, Zellinsky, Pruitt, Barnes, Miller,  
 Long, Jacobsen, Tanner, Johnson, Ristuben and  
 Garrett, and By Secretary of State Request)

Revising procedures for mail voting.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

BACKGROUND:

State law authorizes the county auditor to conduct an election by mail ballot for precincts with less than 100 registered voters. In such cases, voters are to be mailed a notice regarding the ballot by mail election and an application form. The auditor may honor such a completed application for all subsequent ballot by mail elections as long as the voter remains qualified to vote.

For elections held to create a new district or for adding new territory to any existing district or municipality, if the number of voters qualified to vote at the election is less than 500, the auditor may order that the voting be done by mail.

SUMMARY:

For a nonpartisan special election not held in conjunction with a state primary or general election, the county, city, town, or district requesting the

special election may request that it be conducted by mail ballot. The auditor may or may not honor the request to conduct the election by mail ballot; the decision of the auditor in this regard is final.

For special elections conducted by mail ballot, the auditor shall mail each registered voter in the jurisdiction a mail ballot and a pre-addressed envelope. The ballot, with return identification envelope, shall be sent not sooner than the 25th day nor later than the 15th day before the election date.

For vote-by-mail elections, the auditor shall designate a location for obtaining replacement ballots and may designate one or more places for depositing ballots not returned by mail. These designated places for deposit shall be open from 7:00 a.m. to 8:00 p.m. on the election date. Requirements for obtaining replacement ballots are established.

Each ballot must be returned in the return identification envelope. The envelope must be signed by the appropriate registered voter and the signature must be verified by the auditor. If mailed, ballots must be postmarked not later than the election date. Otherwise, the ballot must be deposited not later than 8:00 p.m. on the election date. A mail ballot may be challenged in the same manner as an absentee ballot. The auditor must notify the prosecuting attorney and the Attorney General of each case in which a person voted more than once.

If the vote is to be tallied electronically, political party observers shall be afforded the opportunity to be present and a test of the equipment must be performed. The observers may count by hand ballots from up to ten precincts.

Auditors are not required to appoint an inspector and two judges for each precinct designated as a vote-by-mail precinct.

The Secretary of State shall adopt rules to prevent fraud, facilitate the accurate processing and canvassing of mail ballots, guarantee the secrecy of the ballot, and provide uniformity in mail ballot elections.

A person who willfully violates any provision of the absentee or mail ballot statutes is guilty of a class C felony.

Repealed is a statute authorizing the county auditor to conduct an election by mail ballot for an

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**SHB 240**

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election held to create a new district, or for adding territory to a jurisdiction, if the number of voters qualified to vote in the election is less than 500.

Rule Making Authority: The bill grants new rule-making authority to the Secretary of State.

**VOTES ON FINAL PASSAGE:**Regular Session

House 56 15  
Senate 31 18 (Senate amended)

First Special Session

House 70 24  
Senate 29 17  
House (House refuses to concur,  
requests conference)

Free Conference Committee

Senate 25 23  
House 67 29

EFFECTIVE: August 23, 1983

**SHB 241**

C 98 L 83

By Committee on Education (Originally sponsored by Representatives Appelwick, P. King, Dickie, Galloway, Schoon, Ebersole, Miller, Belcher, Isaacson, Brekke, Johnson, Todd, Powers, Wang and Stratton, and By Superintendent of Public Instruction Request)

Providing education programs for juveniles and juvenile offenders.

House Committee on Education

Senate Committee on Education

**BACKGROUND:**

Juveniles placed in detention by the courts are housed in county juvenile detention centers. In May 1982, the State Supreme Court ruled, in Tommy P. v. Board of County Commissioners of Spokane County, that juveniles placed in detention must be offered an educational program and that the counties are responsible for providing the programs. The counties and school districts seek a definition of their respective duties in providing education programs at juvenile detention centers.

In addition, the duties and responsibilities of school districts and the Department of Social and Health Services for providing educational programs at juvenile parole learning centers are not currently defined in statute.

**SUMMARY:**

An educational program for persons of common school age in juvenile detention centers must be provided by the affected counties and school districts. An educational program for persons of common school age in juvenile parole learning centers must be provided by the Department of Social and Health Services (Department) and the affected school districts.

The educational programs shall be modeled after programs that are in place for persons in state residential schools. The affected agencies are required to enter into contracts to define the manner in which their respective duties will be cooperatively performed. The school districts may contract with the educational service districts (ESDs) to provide the educational programs.

The school districts are generally responsible for providing the instructional staff; the purchasing of supplies such as textbooks, audio-visual equipment and paper; designing and implementing curriculum; conducting the program; controlling the students who participate in the program; and expending funds appropriated by the Legislature and from other sources for maintaining and operating the educational program.

The counties, with respect to juvenile detention centers, and the Department, with respect to juvenile parole learning centers, are responsible for providing transportation of students to and from the site of the educational program; building and playground space; furniture and equipment; heat, lights and other support services; maintenance persons; clinical and medical evaluation of students; and other support services.

**VOTES ON FINAL PASSAGE:**

House 87 5  
Senate 41 0

EFFECTIVE: July 24, 1983

**2SHB 245**

C 60 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives J. King, Sanders, Tanner, Powers, Vekich and Heck)

Modifying provisions relating to economic development.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

The Community Economic Revitalization Board (CERB) was created during the 1982 legislative session. This statute provides for the continuance of the public works grant and loan function of the Economic Assistance Authority (EAA).

The EAA was abolished during the 1981 legislative session prior to the scheduled "Sunset" determination date of June 30, 1983. In 1972, in response to adverse economic conditions partially resulting from employment cutbacks in the aerospace industry, the legislature enacted the EAA. The act was designed to encourage private sector employment generating activities.

Since 1972, the EAA has made grants and loans totalling some \$17.5 million. State funds of \$13.6 million were disbursed and redispursed through the revolving fund; these dollars were expanded by \$3.9 million in federal grants and loans. The total number of jobs created by EAA grants and loans in its nine year history is estimated at 16,000.

In a telephone survey of local governments and other political subdivisions by the Commerce and Economic Development Department in January, 1982 requests for 73 projects were received which potentially could be funded by CERB at a total estimated cost of \$138 million. Currently, there is a balance of \$371,520 in the grant and loan revolving fund.

**SUMMARY:**

SHB 245 provides a \$20 million appropriation through the sale of general obligation bonds to the Community Economic Revitalization Board. CERB is a 15-member board, nine appointed by the governor, which approves loans made to political subdivisions for the purposes of financing the cost of public facilities.

The board is authorized to make direct loans and grants for the cost of acquisition and development of land and improvement of public facilities. Financial assistance from CERB may be used directly or indirectly for any facility for public purposes including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities, or water distribution and purification facilities. Applicants to the board must demonstrate that other financing is not available on terms similar to those offered by CERB.

SHB 245 establishes the provision that the board shall not make a grant or loan unless the application includes convincing evidence that a specific private development or expansion will occur. It also instructs the board to select the projects which will lead to the greatest amount of employment once the initial project has been completed. A provision is included that the total amount of outstanding grants and loans to Pierce, King, and Snohomish counties shall not exceed 60 percent of the outstanding loans and grants. Ten percent of the \$20 million is appropriated to fund community development block grants certified by the Planning and Community Affairs Agency (PCAA) and approved by CERB. Seventy-five percent of all proceeds from loans made by CERB are to be deposited in the general fund. The remaining portion will be deposited in the public works grant and loan revolving fund.

Appropriation: \$20 million (General Obligation Bonds)

**VOTES ON FINAL PASSAGE:**Regular Session

House	67	30
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First Special Session

House	60	35	
Senate	32	16	(Senate amended)
House	92	5	(House concurred)

**EFFECTIVE:** August 23, 1983

**SHB 251**

C 50 L 83 E1

By Committee on Commerce & Economic Development (Originally sponsored by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher,



Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett)

Establishing the state employment and conservation corps.

House Committee on Commerce & Economic Development and Ways & Means

Senate Committee on Parks & Ecology and Ways & Means

**BACKGROUND:**

From May 1979 to May 1980, unemployment insurance (UI) figures show that the number of young claimants under 25 years of age comprise 23 percent of the total UI claims for Washington State. Estimates of unemployment for the youth labor force for October 1982, shows the unemployment rate at approximately 23.7 percent. Many young people are looking for work and are not eligible for unemployment insurance. During FY 1979, the Employment Security Department registered 76,836 active youth applicants, 18-22 years old. A total of 54,451 (71 percent) of those youths did not find placement in employment or training. Twenty percent of the total active applicants seeking employment through the Employment Security Department are between 18 and 22 years old.

The need to employ out-of-work youth has long been recognized by the legislature and Congress. However, in the past two years much of the youth employment funds have been cut back. In 1977, the Washington State Legislature passed the Youth Service Corps Act to establish a service-oriented work program for youth within the Department of Employment Security. However, the Youth Service Corps Act was never administratively implemented.

**SUMMARY:**

The Washington Youth Employment and Conservation Act (WYECA) is created to help youth obtain available jobs in both public and private agencies.

The Washington Youth Employment Exchange will serve as the recruitment mechanism for the Washington Conservation Corp established by E2SSB 3624 (passed in 1983).

The Washington Youth Employment Exchange (WYEE) establishes the process to match youth to available service projects in the state, whether in

community service work or conservation projects. The exchange has the authority to receive matching funds by private and community service agencies in order to place a youth in a work project. Youth in the exchange would be paid not more than the federal minimum wage or a subsistence living allowance according to the supervising agency standards and are exempt from unemployment compensation.

The Washington Youth Employment Exchange will ask local governmental and private nonprofit community agencies to identify and prioritize human, social and environmental problems that are unmet due to lack of funds for adequate staff. Local offices of the Employment Security Department will serve as the recruitment and referral point. Youth will apply for positions as available from the roster of jobs. In some cases the applicant will simply be referred to the supervising agency. In others, where matching requirements are involved, the local youth employment exchange will initiate a work agreement to place a youth in the work program. Agencies will submit a list of jobs and standards for youth to choose from. The Employment Security Department will be responsible for administering the youth exchange program and establishing matching requirements.

Enrollees in the exchange will be youth who are at least 18 years of age but not more than 25, are residents of the state and are unemployed. In the selection of enrollees, preference will be given to youths residing in areas of substantial unemployment. The assignment of enrollees will not result in the displacement of current agency employees.

The commissioner of Employment Security may enter into income generating projects with public or private organizations. Moneys received from contractual projects will be deposited in the state general fund.

Appropriation: \$2 million - Youth Employment Exchange of the Employment Security Department

Rule Making Authority: The bill delegates new rule-making authority to the Department of Employment Security to operate the Washington Youth Employment Exchange.

Termination Date: July 1, 1987

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 91 5

First Special Session

House 91 5  
 Senate 34 10 (Senate amended)  
 House 85 8 (House concurred)

EFFECTIVE: August 23, 1983

**HB 256**

C 41 L 83

By Representatives Charnley, Tilly, Brough, Martinis, Todd, D. Nelson, Addison, Jacobsen, Miller, Moon, G. Nelson, Sanders, Taylor, Silver, Isaacson and Barrett

Deleting the penalty tax when changing land classified under chapter 84.34 RCW to tax exempt status for conservation purposes.

House Committee on Local Government

Senate Committee on Local Government and Ways & Means

BACKGROUND:

Existing law permits property owners to place their land under the Open Spaces Act as: (1) open space agricultural lands; (2) open space timber lands; or (3) general open space lands. Land placed into an open space designation is assessed for taxation purposes on the basis of its agricultural, timber or open space value instead of its "highest and best" value. If land is removed from its open space designation before the first ten years of its initial classification as open space land, or without providing at least two years notice of its removal, additional property taxes become due. This additional tax is not imposed under certain circumstances.

SUMMARY:

An additional exception from the imposition of additional taxes on land removed from open space classification is established. The additional taxes will not be imposed whenever property interests on land under open space classification are acquired by state agencies, local governments or non-profit nature conservancy corporations if the property interests are acquired to conserve open space or to limit the uses of such property.

VOTES ON FINAL PASSAGE:

House 95 0  
 Senate 40 8 (Senate amended)  
 House 89 0 (House concurred)

EFFECTIVE: July 24, 1983

**HB 259**

C 142 L 83

By Representatives Martinis, Prince and Charnley (By Department of Licensing Request)

Revising laws regulating hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors.

House Committee on Transportation

Senate Committee on Transportation

BACKGROUND:

Hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors are required to keep certain records. The purpose is to enhance the ability of law enforcement to both trace and recover various stolen vehicle parts by imposing more stringent recordkeeping procedures.

SUMMARY:

Recordkeeping provisions for used motor vehicle parts and wrecking yard inspections are modified. Violations are clarified and penalties established.

VOTES ON FINAL PASSAGE:

House 93 0  
 Senate 47 0

EFFECTIVE: July 24, 1983

**HB 260**

C 184 L 83

By Representatives Haugen and Clayton (By State Patrol Request)

Authorizing the state patrol to charge fees for certain criminal records.

House Committee on State Government

Senate Committee on State Government

BACKGROUND:

The identification section of the Washington State Patrol maintains comprehensive files of criminal records and fingerprints from all law enforcement agencies across the state. This centralized information system is not only helpful for criminal investigations and prosecutions. It is also frequently used for security clearances on certain job applicants, and when a search for a criminal record is legally required on an applicant for a certain type of license or permit.

In 1982, the State Patrol was authorized to provide criminal history records to private sector employers on applicants for sensitive or high security positions, and to charge fees to cover the costs of supplying this information to employers. However, for applicants for licenses and permits issued by government agencies, the costs of records searches which may be required are currently paid out of the budget of the State Patrol. At the present time, the cost to the State Patrol for a search of their own files is approximately ten dollars; if a search of the FBI files in Washington, D.C. is included, an additional twelve dollars in costs are incurred.

SUMMARY:

Except for requests from criminal justice agencies, the State Patrol will charge fees to cover the direct and indirect costs of processing requests for transcripts of criminal history records.

Revenue: A new fee is imposed on requests for conviction transcripts, to cover the direct and indirect costs to the State Patrol of supplying this information. Requests from criminal justice agencies are exempted from this fee.

VOTES ON FINAL PASSAGE:

House	95	0	
Senate	40	1	(Senate amended)
House	93	0	(House concurred)

EFFECTIVE: July 24, 1983

SHB 263

C 99 L 83

By Committee on Local Government (Originally sponsored by Representatives Moon and Isaacson)

Modifying provisions relating to altering local tax rates.

House Committee on Local Government

Senate Committee on Local Government

BACKGROUND:

Legislation was enacted in 1982 that substantially altered county and city taxing authorities. Among other changes: (1) Counties and cities were authorized to impose either an additional sales tax of up to .5%, or a new real estate transfer tax of up to .5%; (2) The imposition of either of these taxes was potentially subject to a "special initiative" process; (3) An "equalization" fund was established, which would be used to distribute moneys to counties so that, in combination with their sales tax receipts, each county would receive at least \$150,000 per year; (4) Any initial imposition of a B&O tax by a city, or increase in the rate of a B&O tax, was potentially subject to a "special initiative" procedure; and (5) Cities were limited on imposing utility taxes of up to 6% on electricity, telephones or natural gas. Where higher tax rates existed, provision was made to gradually phase the rate down to 6%.

SUMMARY:

Provisions of the 1982 local tax law are altered: (1) The law is clarified that the potential voter action on the .5% additional sales tax, or .5% real estate transfer tax, or the city B&O taxes, is a referendum action. Details for this potential referendum action are specified. (2) Provision is made to annually adjust the \$150,000 base floor figure for county sales tax equalization by the implicit price deflator for state and local government purchases. (3) Provisions for the gradual phase down of city utility rates in excess of 6% is simplified.

VOTES ON FINAL PASSAGE:

House	95	0
Senate	44	0

EFFECTIVE: April 22, 1983

**SHB 266**

C 143 L 83

By Committee on Constitution, Elections & Ethics (Originally sponsored by Representatives Charnley, Pruitt, Barnes, Moon, Garrett, Fisch, Rust, Brekke, Sommers, Fisher, Jacobsen, Ristuben and D. Nelson)

Restricting voting devices to single precinct use.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

**BACKGROUND:**

State law regarding certain voting machines specifically authorizes the election authority to combine or divide election precincts for the purpose of using one or more voting machines at the polling place.

During the last general election, ballot pages for some punch card voting devices for precincts in district border areas each contained the names of candidates for more than one legislative district.

**SUMMARY:**

No voting device for marking or punching ballot cards may contain the names of candidates for the offices of U. S. representative, state senator or representative, county council, or county commissioner in more than one district. Nor may it contain the names of candidates for the office of precinct committeeman in more than one precinct.

In even-year general elections, the devices shall be grouped by precinct and separated from those with ballot pages for other precincts. In all others, the devices containing ballot pages for certain state, federal, and county offices shall be separated from those containing pages for other districts. Each voter shall be directed to the correct group of devices and an explanation shall be prominently displayed in the polling place.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	46	0

**EFFECTIVE:** July 24, 1983

**HB 269**

C 185 L 83

By Representatives Grimm, Heck, Fiske, Addison, Cantu, Smitherman, J. King and Hine

Modifying provisions on the collection of taxes on exempt property which loses its exemption.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

In 1973, administration of property tax exemptions for churches, private schools and colleges, non-profit organizations and other public service organizations was shifted from county assessors to the State Department of Revenue. At that time, requirements for property tax exemptions were established. To maintain exempt status, the property must be used solely for carrying out the purposes of the organization. A nonqualified use of the property results in a loss of the exemption.

A rollback penalty is imposed on the changes in the use of exempt property to a nonqualified use. In such cases, the assessor is notified to place the parcel on the assessment rolls for taxes due the following year. In addition, the county treasurer collects all taxes that would have otherwise been due on the property for the previous seven years, plus interest as delinquent taxes. If the exempt status changed on only a portion of the property, that portion is subject to the penalty. Churches are not subject to the penalty.

The rollback penalty is not imposed if: a) the purchaser of the property is also exempt from the property tax; b) the organization or association is forced to sell due to the exercise of the power of eminent domain; c) an official state or local government entity forces the organization to cease use of the property; and, d) the organization relocates the activity to another site.

In 1977, special relief from the rollback penalties was provided to private schools and colleges. The law was amended to require only 3 years back taxes and a tax was imposed on the gain from sale of the property. Schools which have been in operation for more than 10 years are no longer subject to the penalty.

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**HB 269**

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**SUMMARY:**

Special relief from rollback penalties provided in 1977 to private schools and colleges is extended to all exempt properties and the amount of relief is increased.

1. The rollback penalty is reduced from seven years of back taxes to three years.
2. Schools and colleges will no longer be required to pay a tax on the amount of profit earned from the sale of their property.
3. Property which has been exempt for more than ten years is not subject to the rollback penalty.
4. Only in cases where 51% or more of the area of the property is transferred from exempt to non-exempt use is the penalty imposed

Revenue: Administrative provisions related to property tax exemption are modified by reducing penalties for changes in use of exempt property.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	44	0

**EFFECTIVE:** July 24, 1983

**HB 270**

C 145 L 83

By Representatives Dellwo, Lewis, Stratton, Patrick, Charnley, Mitchell, Wang, Fiske, McClure, Tilly, Holland, Sanders, Silver, Brough, Ellis, Jacobsen, Todd and Issacson

Providing for treatment and services for developmentally disabled persons.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

**BACKGROUND:**

Washington's developmental disabilities (DD) program is administered at the state level by the Division of Developmental Disabilities, Department of Social and Health Services (DSHS).

DD services are provided through two categories: Residential Habilitation Centers (RHCs) and field

services. There are six RHCs (e.g. Rainier School, Lakeland Village, Frances Haddon Morgan Center) plus the schools for the blind and deaf. There are approximately 2150 residents in these facilities. Field services involve client intake and eligibility determination, plus a variety of services including employment/training, group homes, and child development. County governments, through community boards, contract for some of these services. There are approximately 9,500 DD clients receiving field services.

**ISSUE:** Currently there is no definition of "habilitation services" in statute. DD services presently provided are not necessarily focused on habilitation. Not all DD persons receive adequate care.

**SUMMARY:**

A definition of "habilitation services" is added to statute that reads: "...services provided by program personnel to assist persons in acquiring and maintaining life skills and to raise their levels of physical, mental, social, and vocational efficiency. Habilitative services include education, training for employment and therapy."

DSHS is required to provide to the extent funds are available, habilitation services to every DD eligible person regardless of age or degree of disability. DSHS shall, within 90 days of the effective date of the act, promulgate habilitation standards, in cooperation with interested persons.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	47	0

**EFFECTIVE:** July 24, 1983

**HB 274**

C 42 L 83

By Representatives Lux and Sanders

Modifying provisions relating to names authorized for savings and loan associations.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

## BACKGROUND:

Both state-chartered and federally chartered savings and loan associations have been restricted in use of institutional titles which incorporate the word "Bank." Recently, federally chartered institutions were permitted to use the word "Bank" or similar phrases.

## SUMMARY:

Savings and loan associations are permitted to incorporate the phrase "Savings Bank" in the name of their institution, but cannot incorporate the phrase "Bank Association" in the name of their association.

## VOTES ON FINAL PASSAGE:

House	98	0
Senate	44	0

EFFECTIVE: July 24, 1983

**HB 275**

C 44 L 83

By Representatives Lux and Sanders

Modifying provisions relating to mutual savings banks.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

## BACKGROUND:

Recent changes in federal regulations have permitted savings and loan associations to utilize accounting systems which permit a more favorable valuation of assets in determining profitability and worth of a savings and loan for regulatory purposes. State mutual savings banks' laws do not permit the use of these new accounting systems.

Although state law allows conversion of a mutual savings bank to a stock savings bank, there are no provisions under the law permitting staggered terms of office for directors of savings banks. Two sections of state law which govern repurchase of savings bank stock contradict each other.

## SUMMARY:

State-chartered savings banks are permitted to use accounting rules authorized by federal or state bank regulatory agencies. Stock savings banks are not required to distribute undivided profits among depositors. A savings bank which converts to a stock form may provide for initial staggered terms of office for directors, and vacancies on the board of directors may be filled by a majority vote of the remaining directors. A conflict between two sections of current law governing the repurchase of savings bank stock is corrected.

## VOTES ON FINAL PASSAGE:

House	98	0
Senate	44	0

EFFECTIVE: July 24, 1983

**SHB 278**

C 46 L 83 E1

By Committee on Natural Resources (Originally sponsored by Representatives Stratton, Martinis, B. Williams and Haugen)

Reorganizing the fisheries code.

House Committee on Natural Resources

Senate Committee on Natural Resources

## BACKGROUND:

House Floor Resolution Number 82-113 called for a reorganization and revision of the Fisheries Code. The objective of the Resolution was a revision of the Fisheries Code to produce a more consolidated and useful organization. Surplus salmon at state hatcheries are sold by public bid or given to state institutions serving the needy. The hydraulics act is intended to preserve fish life by requiring permits for construction projects which occur in state waters. Both the Departments of Fisheries and Game are now required to approve projects.

## SUMMARY:

The Fisheries Code is reorganized and consolidated from the existing 15 chapters to 11. "Legalese" is eliminated in favor of understandable English. Inconsistencies between conflicting provisions are eliminated. License fee rates are

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**SHB 278**

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unchanged and are set forth in table form. Over one hundred sections are repealed and an additional 17 are decodified.

Purchasers of surplus salmon from state hatcheries are required to return a portion to the state in a form suitable for distribution by the Department of Social and Health Services to the needy.

Hydraulic project approval procedures are changed. The workload is divided between the Fisheries and Game Departments. A 45-day application approval/denial period is instituted; permits are valid for five years; permit applications need only contain detailed plans for the protection of fish life.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>			
House	95	0	
Senate	48	0	(Senate amended)
<u>First Special Session</u>			
House	94	0	
Senate	47	0	(Senate amended)
House			(House concurred in part)
Senate			(Senate receded)
Senate	43	0	
House	92	1	

EFFECTIVE: January 1, 1984

**HB 284**

C 186 L 83

By Representatives Tilly, Dickie, Tanner, Egger, Fisch, Nealey, Fuhrman, Braddock, and Silver

Modifying provisions relating to solemnization of marriage.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Current law allows judges of certain courts to solemnize marriages. That authority to solemnize marriages is granted to judges of the supreme court, court of appeals, superior courts and justice courts. A justice court judge is so authorized only within the county in which his or her court lies.

Municipal court judges are not authorized to solemnize marriages.

Full-time justice court judges may not perform marriage ceremonies during working hours.

**SUMMARY:**

The number of judges who may solemnize marriages is increased by including judges of any court of limited jurisdiction. This category of judges includes municipal court judges as well as justice court judges. Judges of courts of limited jurisdiction are allowed to solemnize marriages within their respective counties.

The prohibition against solemnizing marriages during working hours is removed.

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	41	0	(Senate amended)
House	93	0	(House concurred)

EFFECTIVE: July 24, 1983

**HB 285**

C 43 L 83

By Representatives Egger, Martinis and Allen

Modifying provisions on the purposes for which motor vehicle fund distributions to cities may be used.

House Committee on Transportation

Senate Committee on Transportation

**BACKGROUND:**

State law gives cities two separately specified percentages of state motor vehicle fuel tax revenues that are distributed to the state, cities, and counties. These percentages are 6.92% and 4.61%, giving cities a total share of fuel tax revenues of 11.53%.

No statutory restrictions are placed on the types of city road expenditures that may be funded with cities' 6.92% share of fuel tax revenues. Thus, permitted uses include expenditures for road construction, improvement, repair, and road maintenance.

Revenues received by a city from the 4.61% share must be used "exclusively for the construction, improvement and repair of arterial highways and city streets", and for retirement of debt incurred for these purposes. Permitted uses do not include basic road maintenance.

**SUMMARY:**

Cities with populations of less than 5,000 are allowed to use revenues they receive from the 4.61% share of the motor vehicle fuel tax for road maintenance expenditures. Their use of revenues for this purpose is subject to the approval of the Department of Transportation's state aid engineer.

Uses of revenues from the 4.61% share by larger cities continue to be limited to road construction, improvements and repair.

**VOTES ON FINAL PASSAGE:**

House	88	4
Senate	46	0

EFFECTIVE: July 24, 1983

**HB 288**

C 31 L 83

By Representatives Wang, Padden and Armstrong

Modifying definition of corporation residence.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

A civil action may be initiated in the county where the defendant resides. The residence of a corporation is defined. Proper venue for a civil action brought against a corporation may be determined by one of four criteria, including the principal place of business. This latter criterion is not defined.

**SUMMARY:**

A corporation's residence, which is defined by statute, replaces a corporation's principal place of business as one of the criteria for determining proper venue in a civil action brought against a corporation.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	47	0

EFFECTIVE: July 24, 1983

**SHB 289**

C 165 L 83

By Committee on Judiciary (Originally sponsored by Representatives Haugen, Tilly, Brekke, Charnley, Jacobsen, Todd, Burns, Holland, Stratton, Ballard, Brough, Zellinsky, McMullen, Fisch, Smitherman, Tanner, Moon, Silver, Armstrong, Ristuben and Miller)

Authorizing law enforcement officers to revoke the license of persons arrested for driving while intoxicated.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Driving while intoxicated (DWI) is widely recognized as one of the more serious problems facing the state and nation. Evidence suggests that past efforts in many jurisdictions to cope with DWI have produced at best temporary declines in its incidence. Research indicates that the most significant elements of a successful program to reduce DWI are probably those that increase the certainty and speed of punishment.

Recent federal legislation will make money available to qualifying states for DWI law enforcement. Washington appears not to qualify because of provisions in state law relating to the suspension of drivers' licenses for DWI. Federal rules require suspension to occur within 45 days of arrest, on the average, and do not allow for occupational licenses for the first 30 days of a suspension. Only violations of the Implied Consent law (refusal to take a blood alcohol content test) currently result in an administrative determination to suspend a driver's license. Other suspensions occur after a judicial determination of guilt on a DWI charge.

**SUMMARY:**

Extensive changes are made with regard to the speed, uniformity, severity and nature of sanctions



imposed for DWI offenses. Procedural and evidentiary standards in DWI cases are modified, additional offenses related to DWI are created, changes in judicial administration are allowed in order to address higher DWI caseloads, and the use of special detention facilities is authorized to house those convicted of DWI.

ADMINISTRATIVE DENIAL OF DRIVING PRIVILEGES.

Beginning in 1985, the Department of Licensing (DOL) is directed to suspend or revoke a driver's license upon a showing that the driver was arrested with a blood alcohol content (BAC) of 0.10% or higher. This administrative suspension or revocation is separate from the judicial action applicable to a person who is tried and convicted of DWI in court. Multiple suspensions or revocations imposed as the result of separate administrative or judicial determinations arising out of the same offense, will be effective concurrently and not consecutively.

Whether a driver refuses, or takes the test and shows a BAC of 0.10% or higher, the same administrative procedure is followed. The arresting officer confiscates the driver's license and issues a temporary license good for 45 days. The officer notifies the driver of his or her right to a hearing before DOL. The officer then transmits the confiscated license and a report to DOL indicating the driver was arrested and refused a test, or took a test and showed 0.10% or higher. Upon receipt of the report, DOL suspends or revokes the license. That action becomes effective at the expiration of the 45 day temporary license, or after the hearing if one is requested and the suspension or revocation is upheld. All hearings must be held within 45 days of the offense. While the outcome of the hearing may be appealed to superior court, the effect of the suspension or revocation is not stayed pending the appeal.

LENGTH OF LICENSE SUSPENSION OR REVOCATION.

Judicial discretion to recommend non-suspension of a driver's license for a first DWI conviction is removed. Generally, the periods of suspensions and revocations are lengthened. A first DWI conviction or administrative finding of a 0.10% BAC results in a 90 day suspension. A second conviction or finding within five years carries a one year revocation, and a third within five years, carries a two year revocation. A first-time refusal of a BAC test results in a one year revocation, and subsequent refusals carry a two year revocation. Drivers under age 19, however, who are convicted of DWI lose their driving privileges

until age 19, or for the otherwise applicable period, whichever is longer.

OCCUPATIONAL DRIVER'S LICENSES.

Persons whose licenses have been administratively suspended for a 0.10% BAC may apply for an occupational license. Changes are also made with regard to occupational licenses whether the applicant lost a license due to a criminal conviction or administrative action. No occupational license may be issued during the first 30 days of any suspension, but the restriction that occupational licenses may not be issued for longer than one year is removed. Beginning in 1985, determinations about issuance of and restrictions on occupational licenses will be made by DOL rather than the court.

DRINKING OR CARRYING ALCOHOL IN A VEHICLE.

It is a traffic infraction to drink alcohol in a motor vehicle, or to possess or carry alcohol in an open container in the passenger compartment of a motor vehicle. Exceptions are provided for campers, motor homes, commercially chartered vehicles and for-hire vehicles.

BAC TESTS. The refusal to take a BAC test is made admissible in a subsequent criminal trial. Warnings to that effect are required at the time of arrest.

LOCAL PREEMPTION. Cities, towns and counties are prohibited from enacting local ordinances with less severe penalties for DWI than those prescribed by state law.

VISITING JUDGES AND CHANGING VENUE. The administrator for the courts may declare a justice court district to be an "enhanced enforcement district" for purposes of moving judges or trials to accommodate increased DWI caseloads.

SPECIAL DETENTION FACILITIES. Local jurisdictions may establish special detention facilities for housing DWI offenders. These may be minimum security facilities for which the corrections standards board is to develop appropriate custodial care standards.

EDUCATION/STUDY. The Traffic Safety Commission is directed to publicize DWI laws. The Judiciary and Transportation committees of the House and Senate are to study administrative revocation of drivers' licenses and report to the legislature by January 1, 1984.

Future Obligation: The Judiciary and Transportation Committees of the House and Senate are to

study administrative revocation of drivers' licenses and report to the legislature by January 1, 1984.

Revenue: The fee to the Department of Licensing for reinstatement of driver's licenses following suspension or revocation for DWI is increased from \$20 to \$50.

Rule Making Authority: The bill delegates rule-making authority to the Department of Licensing to implement portions of the act.

#### VOTES ON FINAL PASSAGE:

House	93	1	
Senate	45	1	(Senate amended)
House			(House refuses)
Senate			(Returned to second reading)
Senate	47	0	(Senate amended)
House	96	0	(House concurs)

EFFECTIVE: July 1, 1983, except for provisions relating to administrative suspension of drivers' licenses which take effect January 1, 1985.

## 2SHB 295

### PARTIAL VETO

C 28 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Belcher, Hankins, Kreidler, Walk, Niemi, Ellis, Powers, Lewis, Allen, Johnson, Lux, Jacobsen, Todd, Halsan, Betzoff, Vander Stoep, Patrick, D. Nelson and Vekich)

Requiring state employees to be paid twice a month.

House Committee on Ways & Means and State Government

Senate Committee on Ways & Means

#### BACKGROUND:

Starting with September, 1982, the state converted from a once-a-month "predictive" to a once-a-month "lagged" payroll.

Under the former predictive payroll, employees received compensation on the last day of the month for known service through the 20th day of the month and for "predicted" service for the

remainder of the month. Any deviations from what was predicted required a cancellation of the original paycheck and a supplemental payroll to create a replacement paycheck.

Under the present lagged payroll, employees receive compensation ten days after the end of the month for known service through the end of the month. The implementation of the once-a-month lagged payroll provided the state with operating efficiencies, cost reductions, and increased revenues from interest on retaining the payroll for an additional ten days. Employees saved on their federal income taxes, but were required to realign their personal budgeting and spending patterns.

To mitigate the impacts of the once-a-month lagged payroll, the Governor requested \$3.7 million to implement a twice-a-month payroll in the 1983-85 biennium.

#### SUMMARY:

With few exceptions, state agencies are required to pay employees twice a month, on a ten-day lagged basis. Services rendered from the first half of the month (1st through the 15th) are payable by the 25th; the services rendered in the remainder of the month are payable by the tenth day of the following month. Various statutory rules are provided to govern the new payroll system.

Payment of overtime, penalty pay and special pay provisions may be postponed not more than one pay period if the postponement is due to either an inaccurate or untimely report by the employee, or an employer's lack of reasonable opportunity to verify an employee's claim.

Compensable benefits payable because of separation from state service shall be paid with the earnings for the final period worked if the employee has given proper notification of intent to terminate.

Mandatory and voluntary deductions which are based upon a percentage of salary are to be deducted from each salary payment. OFM is to adopt procedures for making those deductions and deferrals which are not based upon a percentage of salary.

The director of OFM is to develop and implement the new payroll system. The director is required to report to the legislature by December 31, 1984 on the implementation of and compliance with the

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## 2SHB 295

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new system. The report shall address the timeliness of payments to state employees.

Future Obligation: OFM is required to report to the legislature by December 31, 1984 on the implementation of and the compliance with this act, including the timeliness of payments to state employees.

Appropriation: \$2,500,000 of which \$1,121,000 is General Fund-State monies.

Rule Making Authority: OFM will establish by July 1 of each year the calendar pay dates for all pay periods in the following calendar year. OFM will adopt procedures for making deductions and deferrals which are not based upon a percentage of salary. OFM shall develop the twice-a-month, lagged payroll policies and procedures.

### VOTES ON FINAL PASSAGE:

#### First Special Session

House	64	31	
Senate	26	20	(Senate amended)
House	66	31	(House concurred)

EFFECTIVE: August 23, 1983

### PARTIAL VETO SUMMARY:

The Governor vetoed section 3(6) which would have replaced the existing payroll deductions for labor or employee organizations dues with payroll deductions for contributions to labor or employee organizations.

## SHB 296

C 61 L 83 E1

By Committee on Education (Originally sponsored by Representatives Galloway and Miller, and By Superintendent of Public Instruction Request)

Modifying provisions regulating school transportation.

House Committee on Education

Senate Committee on Education

### BACKGROUND:

An allocation system to distribute funds to school districts for student transportation took effect in September, 1982. The system distributes funds

based on the total number of students who live further than one radius mile from school and the distance those students could be transported to school.

Due to data collection problems and concerns about how severely the new formula would redistribute moneys among the school districts, the Superintendent of Public Instruction's office (SPI) was instructed to complete the collection of data and to study funding options. As a result, the superintendent recommended that the allocation formula be modified to distribute funds based on the number of students who are actually transported by a school district who have route stops further than one radius mile from school and the distance the route stops are from school.

### SUMMARY:

Funds for the student transportation system will be allocated to enable school districts to transport eligible students to and from school. The allocation will be based on the number of eligible students who are actually transported by a school district who have route stops further than one radius mile from school and the distance the route stops are from school.

The funds allocated are in addition to the basic education allocation. Operating costs shall be funded at one hundred percent or as close thereto as reasonably possible. The funding formula is for allocation purposes only. While school districts must use the state funds only for transportation purposes, the money need not be spent in the same manner as calculated. School district boards are responsible for determining which students will be transported and for routing. A school district may make alternative arrangements to transport children when the district cannot provide transportation and a school district may cross district boundaries to transport students.

Generally, only those students who are served by a transportation program and whose route stops are more than one radius mile from school are eligible for state funding. However, certain handicapped children and children who would be required to walk along hazardous walkways who live closer than one mile from school are also eligible.

Those activities which constitute "to and from" transportation include: (a) transportation to and from route stops and schools; (b) transportation conducted due to interdistrict agreements; (c)

transportation of handicapped students to and from schools and agencies; and (d) transportation between schools and learning centers for instruction specifically required by statute. Extended day transportation is excluded.

The superintendent must annually calculate a standard student mile allocation rate to determine funding. This rate is based on the per mile cost of transporting eligible students. The rate may be adjusted to include additional factors such as distance, restricted passenger load, circumstances that require use of special transportation vehicles, handicapped student load, and small fleet maintenance.

In order to receive the allocation, school districts must annually, during October, report the number of eligible students transported, the estimated number of miles to be driven, a map describing route stop and schools locations, and the number of miles driven the previous year. The superintendent of public instruction is authorized to allocate transportation funds to districts, from September through December, based on estimated amounts.

Rule Making Authority: The superintendent of public instruction shall develop criteria to identify hazardous walking conditions.

#### VOTES ON FINAL PASSAGE:

Regular Session  
House 87 8

First Special Session  
House 91 5  
Senate 43 0 (Senate amended)  
House 74 8 (House concurred)

EFFECTIVE: August 23, 1983

## SHB 297

C 115 L 83

By Committee on Judiciary (Originally sponsored by Representatives Padden, Armstrong, Kreidler, Wang, Holland, Ristuben, Ballard, Hastings and Dellwo)

Approving the sentencing guidelines and prosecuting standards of the sentencing guidelines commission.

House Committee on Judiciary

Senate Committee on Judiciary

#### BACKGROUND:

The legislature created the Sentencing Guidelines Commission in the 1981 Session as part of the Sentencing Reform Act of 1981. The commission was required to report to the legislature by January 10, 1983 the recommended sentence ranges for felonies. The legislature must adopt sentencing standards during the 1983 Regular Session. Those standards will then go into effect on July 1, 1984. The standards will be presumptive for all but first time offenders, with some exceptions. Sentences outside of the standards adopted by the legislature must be justified by the judge and are appealable by either the defendant or prosecutor. Judges will impose a determinate sentence to be served by the defendant. The Board of Prison Terms and Paroles will have no role in determining the term to be served by a defendant. The commission is also required to propose standards governing plea bargaining and charging decisions of prosecutors.

#### SUMMARY:

With minor changes, sentencing recommendations of the sentencing guidelines commission are implemented. Felonies ranging from aggravated murder to writing bad checks are classified into 14 categories of seriousness. Sentences for those categories range from the death penalty to 0 to 60 days of jail time. Prior criminal convictions are also classified and assigned points. Depending on the current crime and the nature of past crimes, the points assigned for prior convictions range from 0 to 3. By applying the prior conviction points to the seriousness category of the current crime, the convicted person's "offender score" is obtained. This score is the presumptive sentencing range within which the judge is expected to sentence the convicted person.

First-time offenders who commit nonviolent crimes need not be sentenced within the presumptive ranges. For sentences of less than one year for any nonviolent offense, priority is to be given to alternatives to incarceration. A method is provided for converting the presumptive ranges for jail or prison time into alternative sentences. Alternative sentences include fines, partial confinement, community supervision and community service.

Examples are given of aggravating or mitigating circumstances which a judge may use to justify a sentence outside the presumptive range. These examples are illustrative only and are not the exclusive reasons that may justify an exceptional sentence.

Whether sentences are to be consecutive or concurrent depends on the nature of the offenses and the number of distinct and separate criminal acts involved. Sentences will be served consecutively for offenses arising out of separate acts if one or more of the offenses is violent.

Presumptive sentences for attempts or conspiracies are set at 75 percent of the sentences for the actual commission of crimes.

Recommended standards for prosecutors to use in charging crimes and making plea bargains are provided.

Sentencing standards for drug or sex offenses are not provided. The Sentencing Guidelines Commission will propose standards for those crimes before July 1, 1984.

**VOTES ON FINAL PASSAGE:**

House	88	8	
Senate	42	3	(Senate amended)
House	90	5	(House concurred)

**EFFECTIVE:** July 24, 1983

**HB 300**

C 187 L 83

By Representatives P. King, Dickie, Galloway, Holland, G. Nelson, Egger, Stratton, Schoon, Armstrong, Taylor, Heck, Johnson, Betrozoff, Haugen, Tanner, Sutherland, Zellinsky, Powers, Sayan, Smitherman, Ebersole, Fisher, Ellis, Hine, Crane, Jacobsen, Halsan, Todd, Ristuben, Lux, J. Williams and Moon

Modifying the laws regulating the school directors' association.

House Committee on Education

Senate Committee on Education

**BACKGROUND:**

The Washington State School Directors Association (WSSDA) is a state agency which provides various services to the Boards of Directors of all school districts in the state. It was created by statute and is subject to examination by the state auditor. However, it is self-governing under its own constitution; membership of all school board members in the state is required; it levies mandatory assessments; and manages its own funds.

The Legislative Budget Committee reviewed WSSDA to determine whether the Association should terminate as a state agency on June 30, 1983, as provided by the sunset law, or be continued. The Committee recommends that the Association be statutorily retained with several modifications.

**SUMMARY:**

The Association is reinstated as a state agency until June 30, 1989. The Association will be reviewed before termination under sunset act provisions.

The Association shall no longer be authorized to receive automatic payment of unpaid dues upon presentation of a written request to the county auditor.

The Association may requisition motor vehicles from the state motor pool.

The Association is exempted from state civil service laws.

The Association shall contract with the Department of Personnel to audit, in odd-numbered years, the association's staff classifications and employees' salaries. Copies of the audit will be given to the appropriate executive and legislative agencies.

The Association may not set up county or regional dues generating units.

References to intermediate school districts are updated to reflect the current name of educational service districts.

**VOTES ON FINAL PASSAGE:**

House	91	7	
Senate	38	6	(Senate amended)
House	90	3	(House concurred)

**EFFECTIVE:** June 30, 1983

**HB 304**

C 144 L 83

By Representatives Walk, Vekich and Fisch (By State Patrol Request)

Authorizing the appointment of state employees as special deputies in the state patrol.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

The Chief of the Washington State Patrol currently may appoint special deputies only within the State Patrol. Special deputies ordinarily have specified, restricted police authority related to particular assignments. Service as a special deputy cannot be counted towards pensions in the State Patrol Retirement System, or towards tenure as a regular patrol officer.

**SUMMARY:**

The Chief of the Washington State Patrol is empowered to appoint as special deputies employees of the Office of the Treasurer who are qualified as law enforcement officers. The law enforcement powers of these special deputies will be designated by the Chief and must be restricted to those powers necessary to provide for statewide security of the holdings and property of the Treasurer's office. These appointments may be revoked at any time by the Chief, and will be revoked at the State Treasurer's request.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	40	1

EFFECTIVE: July 24, 1983

**HB 305**

C 100 L 83

By Representative Wang

Allowing certain licensed health care professionals to form one professional service corporation.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

**BACKGROUND:**

Presently, the Professional Services Corporation Act permits professional groups to form corporations. However, there is no authority for different professional groups to join together in forming a single professional service corporation, except for architects and engineers. Thus, the diverse health practitioner groups working in a health maintenance organization setting cannot form a single professional service corporation.

**SUMMARY:**

Licensed health care professionals employed in or associated with a health maintenance organization are permitted to own stock in and render their professional services through one professional service corporation.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	41	0

EFFECTIVE: July 24, 1983

**SHB 309**

C 116 L 83

By Committee on Social & Health Services (Originally sponsored by Representatives J. King, Lewis, Kreidler, Fiske, Vekich, Tilly, Tanner, Wang, Miller and Isaacson)

Providing for the licensing of physical therapists.

House Committee on Social & Health Services

Senate Committee on Social & Health Services

**BACKGROUND:**

Physical therapists are required to register and pass an examination. They practice "under the prescription...and direction" of physicians. The Examining Committee is composed of three physical therapists who receive \$25 per diem. Educational qualifications include graduation from an approved four-year school of physical therapy. Probationary and temporary certificates of registration can be issued. Registration certificates can be refused or revoked for specified causes. There

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**SHB 309**

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are not procedures for suspending licenses for persons found mentally ill; nor are there provisions for exempting students and foreign-licensed therapists practicing at seminars from licensure.

**SUMMARY:**

The registration act for physical therapists is converted into a licensure act, creating an examination and disciplinary board of four physical therapists and one public member. Per diem for Board members is increased to \$50. The definition of physical therapy is revised to include measurements of neuro-muscular functions and consultative services to health agencies, and excludes the practice of chiropractic. Physical therapists may treat patients after consultation with and periodic review by a licensed physician, osteopathic physician, chiropractor, naturopath, podiatrist, or dentist.

The Board of Physical Therapy replaces the Examining Committee and is given authority to examine and discipline licensees, adopt rules, establish continuing education requirements and standards of professional conduct. Educational qualifications for applicants for licensure are raised to include possession of a baccalaureate degree in physical therapy, or a baccalaureate degree and certificate or advanced degree in physical therapy. Authority for probationary and temporary certificates is repealed.

Grounds for license restrictions, refusal, revocation, or suspension are expanded, including commission of a felony involving drugs, or a crime of moral turpitude, negligence, or a violation of this act. Procedures are established for the suspension of licensees declared mentally ill. Physical therapist students and those licensed in other jurisdictions appearing at seminars are exempted from licensure.

Agency or Committee Created/Eliminated A Board of Physical Therapy is created.

Rule Making Authority: The bill delegates new rule-making authority to the Board of Physical Therapy.

**VOTES ON FINAL PASSAGE:**

House	94	1
Senate	43	4

**EFFECTIVE:** July 24, 1983

**HB 312**

C 45 L 83

By Representatives Lux, Sanders and Garrett

Providing for the conversion from a mutual savings bank to a federal savings bank.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

Current law does not provide a clear procedure for conversion to a federal charter.

**SUMMARY:**

State-chartered savings banks may convert to a federal charter by a two-thirds vote of trustees for mutual banks and a majority vote of stockholders for stock banks. The Supervisor of Banking must be notified 30 days before a vote to convert; and, after a favorable vote to convert, the minutes of such meeting must be filed with the Supervisor. The successor savings bank assumes all rights and duties of the converting bank. Federal savings banks with home offices in this state are granted the rights, powers and privileges of state-chartered savings banks, and a federal savings bank may convert to a state-chartered savings bank upon approval of the Supervisor of Banking.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	44	0

**EFFECTIVE:** July 24, 1983

**HB 313**

C 146 L 83

By Representatives Belcher, Hankins, and Walk (By Planning and Community Affairs Agency, Office of Financial Management, and Department of General Administration Requests)

Transferring responsibility for state fire protection contracts to the planning and community affairs agency.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Since the State of Washington does not pay taxes to local governments on state-owned buildings or property, the state makes payments in lieu of property taxes to reimburse local governments for fire protection services that they provide for state facilities. The amount of reimbursement is set through negotiation of fire protection contracts with the local governments involved.

In the past, the Department of General Administration has had responsibility for these state fire protection contracts. However, the Planning and Community Affairs Agency administers most other state programs involving grants to local governments. The Governor's proposed budget for the 1983-85 biennium contains an appropriation of \$1,062,769 for the fire protection grants program, and includes this program under the Planning and Community Affairs Agency rather than the Department of General Administration.

**SUMMARY:**

The administration of the state fire protection grants program is transferred from the Department of General Administration to the Planning and Community Affairs Agency or its successor.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	41	0

**EFFECTIVE:** July 24, 1983

**HB 318**

C 188 L 83

By Representatives Hine, Brough, Charnley, Allen and Isacson

Establishing procedures for moorage facilities to enforce moorage and storage regulations.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Under existing law the remedies of a marina operator to collect delinquent moorage charges, or force the removal of boats which have not had their moorage charges paid, are governed by provisions of the rental contract or the general law concerning abandoned property.

**SUMMARY:**

Procedures are established by which port districts, cities, towns, counties, and metropolitan park districts that operate moorage facilities can collect delinquent moorage charges. These procedures may include the use of chains and locks to secure vessels if the renter fails to pay moorage charges for 60 or more days. Notification of delinquencies are to be made in writing to the owner of the vessel and by attaching stickers to the vessel. Reasonable efforts must be made to notify the owner. Moorage operators may move such vessels ashore for storage if the vessel is in danger of sinking or being damaged. If such a vessel is abandoned, the moorage operator may sell the vessel by public auction. Notice provisions for such auction are provided. The moorage operator may bid all or part of its charges at the sale and become a purchaser of the vessel. The proceeds of the sale first go to the moorage charges. The balance is paid to the previous owner of the vessel. If the previous owner cannot be located within one year of the sale, the funds shall revert to the state department of revenue under the unclaimed property statutes.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	47	0 (Senate amended)
House	94	0 (House concurred)

**EFFECTIVE:** May 16, 1983

**SHB 323**

C 101 L 83

By Committee on Local Government (Originally sponsored by Representatives Haugen, Wilson, Ballard, Sayan, McClure, Fisch, Vekich and Tanner)

Amending the provision regarding consolidation and annexation of public utility districts.



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**SHB 323**

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House Committee on Local Government

Senate Committee on Energy & Utilities

**BACKGROUND:**

Existing law provides for territory to be annexed into a public utility district. Instead of detailing the specifics of how such annexations occur, an old city annexation statute is referenced. This referenced statute has subsequently been repealed.

**SUMMARY:**

A special annexation procedure is provided for PUD's to annex territory beyond their boundaries that are being provided with electricity by the PUD. These annexation methods that cities and towns use are referenced: (1) a petition/election method; (2) a resolution/election method, and (3) a direct petition method. Such an annexation may include territory in another county. Such an annexation may not include territory in another PUD. The area annexed must be in the "service area" of the annexing PUD.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	42	2

**EFFECTIVE:** July 24, 1983

**SHB 325**

C 189 L 83

By Committee on Ways & Means (Originally sponsored by Representatives Sayan, Silver and R. King, and By Office of Financial Management Request)

Abolishing certain obsolete funds and accounts.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

Prior to the increase in the constitutional debt limitation in 1972, the state was required to submit bond authorizations to the voters for approval. The approval of these authorizations then resulted in the creation of specific bond redemption funds and the earmarking of tax revenues for the debt

retirement. These issues have now been retired rendering the redemption funds obsolete. A similar situation exists with a highway bond authorization which was never issued and bonds which have been retired from the state building construction act.

In 1981 the state sold \$400 million in one year Certificates of Indebtedness to alleviate serious cash shortages in the General Fund. When the state contracts debt, a separate account is normally established for the repayment of the principal and interest. However, no statutory authority existed to keep the revenues from the certificates separate from other general fund revenues.

**SUMMARY:**

Obsolete language and funds established for the retirement of bond issues which have been repaid and are now inactive are repealed. Any fund balances existing in the funds being repealed are transferred to the appropriate permanent funds. This results in a transfer of \$495,000 to the general fund. A loan interest fund is created in the state treasury for the repayment of interest and principal for future certificates of indebtedness should such borrowing be necessary for cash flow purposes.

**VOTES ON FINAL PASSAGE:**

House	86	0
Senate	47	0

**EFFECTIVE:** July 24, 1983  
May 16, 1983 (Section 8)

**SHB 328**

C 147 L 83

By Committee on Judiciary (Originally sponsored by Representatives Appelwick and Dellwo)

Equalizing interest on judgments.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Current law contains a number of different limits on the interest which may be charged on various kinds of debt. Among those debts are debts based

on money judgments in lawsuits. Three separate rates are provided for interest on different kinds of judgments. Judgments based on a contract that specifies a rate bear interest at the contract's specified rate. Judgments based on the tortious conduct of a government entity bear interest at eight percent. All other judgments bear interest at 12 percent.

The usury limit for consumer debt is the higher of 12 percent or four percent above the twenty-six week treasury bill rate.

#### SUMMARY:

The interest rate for all judgments which are not based on a contract with a specified rate is made the same as the usury limit for a consumer debt. The interest rate is determined as of and runs from the date of entry of judgment.

#### VOTES ON FINAL PASSAGE:

House	94	1
Senate	41	0

EFFECTIVE: July 24, 1983

### SHB 334

C 285 L 83

By Committee on Higher Education (Originally sponsored by Representatives Burns, Charnley, Miller, Jacobsen, McMullen, Prince, Silver, R. King, Brekke, Allen and D. Nelson)

Providing resident student status for those students so classified on May 31, 1982.

House Committee on Higher Education

Senate Committee on Education

#### BACKGROUND:

During the first special session in 1982, the legislature revised its tuition and fee policy. In response to the fiscal emergency the state was facing, residency requirements were tightened to make it more difficult for a nonresident student to be reclassified as a resident, and thereby enjoy reduced tuition and fee levels. Residency is still based upon establishing a Washington domicile. Added is a financial dependency test which requires a student seeking reclassification to prove

financial independence from parents or guardians for at least one year. The Council for Postsecondary Education was given the authority to adopt regulations for the consistent application of the statute in all state institutions of higher learning.

The amended statute did not include a specific exemption for students previously reclassified to resident status. Because the statute did not exempt currently enrolled students, the Council for Postsecondary Education adopted a rule which requires state colleges and universities to review the files of all students who were reclassified to resident status after June 1, 1979. Reclassified students must submit evidence that they meet the requirements of the new statute by June 30, 1983.

The review process is underway or completed at all institutions. University staffs indicated that most reclassified students returning in the 83-84 School Year will probably qualify for residency status under the new statute. Those who won't are primarily students who are claimed as dependents by out-of-state parents.

#### SUMMARY:

Residency status is assured for any student who was classified as a resident based on domicile on or before May 31, 1982, if the student was also enrolled during any term of the 1982-83 academic year. This status will automatically continue as long as the student remains continuously enrolled (except in summer school). An emergency clause is attached.

#### VOTES ON FINAL PASSAGE:

House	92	2
Senate	48	0 (Senate amended)
House		(House concurred in part)
Senate	41	1 (Senate recedes in part)
House	96	1

EFFECTIVE: May 17, 1983

### SHB 336

C 286 L 83

By Committee on Financial Institutions & Insurance (Originally sponsored by Representatives Lux, Hankins, Garrett, Crane, Broback, Galloway, J. King, Patrick, R. King, Johnson, J. Williams, P. King, Addison, Clayton, Sanders, Hine, Kreidler, Wang, Monohon, B. Williams, Padden, Holland,

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**SHB 336**

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Dellwo, Smith, Betrozoff, Powers, Miller, Isaacson and McMullen)

Providing coverage for chiropractic services under health care services contracts.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

A health care service contractor (HCSC) negotiates an agreement with certain doctors, dentists, hospitals and other medical professionals and pays them directly for medical care received by HCSC members. HCSC's also negotiate with employers in determining what benefit package will be provided by the HCSC and at what price.

HCSC's are prohibited from discriminating against subscribers on the basis of race, religion, national origin or because of the presence of any sensory, mental or physical handicap. Health care service group contracts must provide alcoholism treatment benefits and are required to include benefits for dependent children with developmental disabilities and physical handicaps, as well as newborns with congenital anomalies. However, HCSC's and their subscribers are relatively free to contract for any benefits desired.

**SUMMARY:**

Group contracts for comprehensive health care service must offer benefits for chiropractic care on the same basis as any other care. Patients who obtain chiropractic treatment cannot be denied benefits because the chiropractor is not a licensed osteopath or physician. Employers must offer benefits for chiropractic care as a subject for collective bargaining for group contracts for health care services. Health maintenance organizations are exempted from this act. The Insurance Commissioner may disapprove a contract which violates this act.

**VOTES ON FINAL PASSAGE:**

House	79	14	
Senate	44	3	(Senate amended)
House	94	0	(House concurred)

**EFFECTIVE:** July 24, 1983

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**HB 348**

C 32 L 83

By Representatives Armstrong, Fiske, Tanner and Padden (By Secretary of State Request)

Modifying the corporation laws.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Under current law, a corporation may be involuntarily dissolved for several reasons. A different waiting period for each reason must elapse before the Secretary of State may dissolve the corporation. A corporation must be given notice of the involuntary dissolution.

**SUMMARY:**

The procedures relating to "involuntary" dissolution of corporations are standardized and the terminology is changed to "administrative" dissolution. The waiting period between the time of violation and the time the secretary of state may proceed with administrative dissolution is set at 60 days for all corporations, both foreign and domestic, for most violations. Procedures for reinstatement of an administratively dissolved corporation are also provided. A corporation will have up to two years after administrative dissolution to correct the defects leading to dissolution. An application for reinstatement will require payment of a filing fee as well as all license fees owing for the period of dissolution and a 25 percent surcharge. If the Secretary of State approves the reinstatement, it will relate back to the date the corporation was dissolved, resulting in continued existence of the corporation from the date of dissolution. Persons acting on behalf of the corporation which is reinstated will not be subject to joint or several liability during the period of dissolution merely because the corporation has been administratively dissolved. The reinstatement procedures will relate back to January 1, 1983. A corporation involuntarily dissolved during 1981 and 1982 may seek reinstatement through 1984.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	47	0

EFFECTIVE: April 18, 1983

## HB 357

C 102 L 83

By Representatives Kaiser, Smith and Ellis

Modifying provisions relating to the veterinary board of governors and animal technicians.

House Committee on Agriculture

Senate Committee on Agriculture

### BACKGROUND:

A 1979 act required a sunset review of the state's Veterinary Board of Governors and its powers and duties. The act terminated the Board effective June 30, 1983.

The Legislative Budget Committee report, prepared under the Sunset Act, concluded that the continued regulation of veterinary medicine is needed. The sunset auditor recommended that legislation be initiated to reinstate the Veterinary Board of Governors with modifications.

The Office of Financial Management recommended that the Department of Licensing document the dangers to the public health, safety and welfare of unregulated veterinary practice and recommend alternative means of dealing with those dangers.

The veterinary law currently lists causes for the Board's suspending or revoking a person's license to practice veterinary medicine. The Board is authorized to employ its own secretary. Persons seeking to be animal technicians must either complete approved course work or have 5 years practical experience and pass a Board exam. Veterinarians must secure the approval of the Board to employ an animal technician.

### SUMMARY:

The statute terminating the state's Veterinary Board of Governors and its powers and duties is repealed and the recommendations of the Legislative Budget Committee are implemented.

The grounds listed in law for disciplining veterinarians are modified and applied to animal technicians as well. The range of penalties that may

be applied by the Board for violations is broadened beyond suspension and revocation of licenses to include fines, compliance schedules, censure, reprimand, monitoring by a preceptor, limitations on the licensee's practice and the authority to require continuing education.

Each animal technician must pass a Board exam. A provision of law prohibiting a veterinarian from using the services of an animal technician without the prior approval of the Board is deleted. A veterinarian who uses an animal technician's services shall not be considered as aiding and abetting an unlicensed person to practice veterinary medicine, but is responsible for such practices performed by the technician in his employ.

For investigating alleged violations, the Board has the power to issue subpoenas to compel the attendance of witnesses or the production of documents.

References to the Board's authority to employ its own secretary are deleted. The Director of Licensing shall provide the Board with adequate administrative and investigative staff.

A statute requiring licenses to be promptly renewed or be rendered invalid, and allowing reinstatement only after written application and payment of fees, is repealed. A late renewal penalty equal to one-third of the renewal fee is established.

### VOTES ON FINAL PASSAGE:

House	96	0
Senate	47	0

EFFECTIVE: July 24, 1983

## SHB 359

### PARTIAL VETO

C 168 L 83

By Committee on Social & Health Services (Originally sponsored by Representatives Kreidler, B. Williams, Sommers, Lewis, Walk, Dellwo and Niemi)

Establishing guidelines for the regulation of health professions and occupations not now regulated.

House Committee on Social & Health Services

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**SHB 359**

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Senate Committee on Social & Health Services

**BACKGROUND:**

Licensing is required for the members of at least 21 health related professions and occupations in the state of Washington. Every year the legislature encounters new groups seeking licensing for their members. Granting the privilege of licensure to new groups tends to further fragment the health care delivery system and entails certain consequences which may work against the public interest, such as restricted entry into the profession, and higher professional fees. There are no guidelines established for the legislature to assess the need for regulatory schemes for new health occupations, or to modify existing ones for occupations which seek substantive expansion of their scopes of practice.

Dental Hygienists are licensed by the state but there is no statutory body to administer examinations for candidates for licensure. Currently the Department of Licenses contracts with the Board of Dental Examiners to administer examinations.

**SUMMARY:**

Legislative intent declares that licensure of health care professions be imposed for the exclusive purpose of protecting the public interest. The criteria specified for determining the need for regulation include: (1) demonstrated harm to the public safety; (2) public benefit derived from the establishment of professional competence; and, (3) public protection in the most cost-effective and least restrictive manner. Groups seeking licensure are required to explain factors as requested by legislative committees, such as potential harm to the public safety, alternatives to regulation, benefits and harm to the public resulting from regulation, maintenance of standards and impact on costs. A dedicated health professions account is created which is composed of all license fees paid by licensed health professions regulated. The costs of regulation are to be borne exclusively from license fees and all licensed health professions shall be self-sustaining. The director of licensing is made an ex-officio member of each health licensing board for those professions under his jurisdiction.

A committee of three dental hygienists is created to prepare examinations for dental hygienists license candidates. The committee is effective immediately.

**VOTES ON FINAL PASSAGE:**

House	98	0	
Senate	47	1	(Senate amended)
House	87	10	(House concurred)

**EFFECTIVE:** July 24, 1983

**PARTIAL VETO SUMMARY:**

The governor vetoed the emergency clause which established the Dental Hygienist Examining Committee immediately. The section will become effective 90 days after adjournment.

**SHB 366**

C 62 L 83

By Committee on Energy & Utilities (Originally sponsored by Representatives Pruitt, Isaacson, D. Nelson, Miller, J. King, Charnley, Nealey, Smitherman, Zellinsky, Haugen, Braddock, Brekke, Garrett, B. Williams, Long, Todd, Wang, Van Dyken, Burns, R. King, Ebersole, Hine and Ristuben)

Permitting public entities involved in the generation, sale, or distribution of energy to provide energy conservation analyses and financing assistance for their customers.

House Committee on Energy and Utilities

Senate Committee on Energy and Utilities

**BACKGROUND:**

The Northwest Power Planning Council Twenty-year Electric Energy Plan incorporates energy conservation as a principal resource in meeting future electric energy demand growth. Without financial assistance, some consumers will not make conservation investments. As a result, utilities are making low cost loans or partial grants to consumers for conservation investment—such action being in the economic interest of all electricity consumers.

A constitutional prohibition bars publicly-owned utilities from providing this assistance to their commercial and industrial customers. Thus, a sizable conservation potential is forfeited.

SUMMARY:

Cities, towns, and publicly-owned utilities selling or distributing energy are authorized to assist individuals, associations, companies, or corporations with conservation programs. This authorization depends on the voters approving a proposed constitutional amendment which will enable publicly-owned utilities to provide the assistance. The assistance programs, which must be cost-effective relative to the cost of new generation plants, can include:

- Energy analysis of buildings and equipment together with recommendations for new equipment and changed procedures.
- Arranging or providing financing for purchase and installation of conservation measures. Materials must be purchased from and installation made by private businesses. Loan periods cannot exceed ten years.
- Arranging or coordinating materials installation.
- Post-installation inspection.

When the conservation recommendations of a utility affect a system using another fuel, a copy of the recommendations must be provided to the supplier of that other fuel. The reason for this action is to enable the supplier of the other fuel to offer his conservation programs.

Termination Date: The provisions of this law expire on January 1, 2005.

VOTES ON FINAL PASSAGE:

House	91	2
Senate	38	6

EFFECTIVE: November 8, 1983, if the voters of the state approve HJR 19.

**HB 371**

C 63 L 83

By Representatives Lux and Sanders

Modifying provisions on examinations of health care service contractors and health maintenance organizations.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

BACKGROUND:

Four types of organizations offering health benefits are under the regulatory authority of the Insurance Commissioner's Office: insurance companies, fraternal benefit societies, health care service contractors, and health maintenance organizations.

The Insurance Commissioner's Office conducts examinations to determine the organization's fairness to the consumer, the organization's solvency and the soundness of its business practices. With the exception of health care service contractors, the Commissioner may examine these organizations whenever and as often as he deems necessary. The Commissioner must examine insurance companies at least once every five years.

A health care service contractor (HCSC) may not be examined after initial licensing, unless there is a verified complaint alleging that it is insolvent or that its manner of transacting business is contrary to the Insurance Code. No other Washington State agency has statutory authority to examine an HCSC. HCSC's provide most of the medical coverage purchased in the State of Washington.

SUMMARY:

The Insurance Commissioner is granted authority to examine HCSC's and HMO's to ensure their solvency and their compliance with other insurance laws. The Commissioner is permitted to rely on audit reports of independent certified public accountants. Funding for these examinations is provided through the assessment of a fee not to exceed one-half cent per month per person insured. These fees shall be deposited in the general fund but used solely to pay for the examinations.

VOTES ON FINAL PASSAGE:

House	79	17
Senate	48	0

EFFECTIVE: July 24, 1983

**HB 373**

C 148 L 83

By Representatives Braddock, Kreidler, J. King, Stratton and Ballard

Making the appointment of county drug abuse administrative boards nonmandatory.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Legislation enacted in 1982 rewrote the law concerning programs designed to aid and rehabilitate persons suffering from problems relating to narcotic dangerous and alcoholic drugs. The department of social and health services is required to establish such programs and may contract with counties to provide such programs. Counties were authorized, at their option, to establish such programs and were eligible for state funding. However, the 1982 law required counties to establish a drug abuse administrative board whether or not they establish such a program.

**SUMMARY:**

The drug rehabilitation law is altered to permit counties to establish drug administrative boards, rather than requiring such boards to be established.

**VOTES ON FINAL PASSAGE:**

House 96 0  
Senate 40 0

**EFFECTIVE:** July 24, 1983

**SHB 383**

C 149 L 83

By Committee on Judiciary (Originally sponsored by Representatives Rust, Mitchell and Fiske)

Modifying the standard of care of health care providers in negligence actions.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Two Washington statutes define the standard of care required of medical practitioners. RCW 4.24-.090, enacted in 1975, applies to hospitals and "members of the healing arts", which include but are not limited to physicians, osteopathic physicians, nurses, dentists, podiatrists and chiropractors. The applicable standard of care is "to exercise that degree of skill, care and learning possessed by other persons in the same profession." The other statute, RCW 7.70.040, enacted in 1976, applies to "health care providers", a term which includes but is not limited to hospitals, clinics, health maintenance organizations, nursing homes, physicians, osteopathic physicians, nurses, dentists, optometrists, podiatrists, pharmacists, physical therapists, psychologists, chiropractors, opticians, physician's assistants, midwives and trained paramedics. The applicable standard of care is "to exercise that degree of care, skill and learning expected of a reasonably prudent health care provider in the profession or class to which (the defendant) belongs, in the State of Washington, acting in the same or similar circumstances." This standard applies to health care rendered after June 25, 1976. Despite the difference in wording between the two statutes, the State Supreme Court has indicated in passing that they mean the same.

There is no explicit statement in either statute as to the applicable time during which the pertinent standard of care is to be assessed. Court interpretation, however, indicates the standard to be applied is the standard existing at the time of the conduct in question.

**SUMMARY:**

The standard of care to which a health care provider will be held under either of the current statutes is explicitly made the standard applicable at the time of the conduct in question.

**VOTES ON FINAL PASSAGE:**

House 97 0  
Senate 40 0

**EFFECTIVE:** July 24, 1983

**HB 387**

C 71 L 83

By Representatives Rust, Mitchell, Fiske, and Dellwo.

Creating a medical disciplinary account.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

The Washington State Medical Disciplinary Board is charged with investigating complaints or reports of any physician's unprofessional conduct, malpractice and unsafe conditions and practices. The Board's expenditures in the current biennium are about \$155,000.

**SUMMARY:**

Physicians are assessed as a medical disciplinary assessment an amount equal to their license renewal fee.

The medical disciplinary account is created within the state general fund, into which the assessments are deposited. The funds in the account are earmarked for use by the Washington State Medical Disciplinary Board.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	45	0

**EFFECTIVE:** July 24, 1983

**SHB 390****PARTIAL VETO**

C 167 L 83

By Committee on Local Government (Originally sponsored by Representatives Moon, Isaacson, Haugen, Van Dyken, Hine, Brough, Appelwick, Todd, Powers, McClure, Fisher, Halsan and Ristuben)

Providing for the registration of bonds.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Recently enacted federal legislation (the Tax Equity and Fiscal Responsibility Act of 1982) requires most state and local government bonds and other securities issued after July 1, 1983 to be in "registered" form if interest payments on these bonds and securities are to be exempted from federal income taxation. Many of our statutes authorizing local governments to issue bonds or other securities require the bonds or securities to be in "bearer" form, and do not permit the bonds or securities to be in "registered" form.

The statutes enabling local governments to issue bonds and other securities have widely varied requirements that are not uniform for the different units of government or different types of bonds.

**SUMMARY:**

All state and local government bonds and securities are expressly authorized to be registered under flexible registration provisions.

Local governments are authorized, at their option, to issue, sell and dispose of their bonds and other securities, and place a wide variety of features on such bonds and other obligations, in accordance with flexible general statutes.

The House and Senate Local Government Committees are required to study bonding statutes and report their initial recommendations by January 1, 1984 and their final recommendations by January 1, 1985.

Future Obligation: Study on local government bond statutes by House Local Government Committee due January 1, 1985.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	46	2 (Senate amended)
House	97	0 (House concurred)

**EFFECTIVE:** May 16, 1983

July 1, 1985 (Sections 271 and 272)

**PARTIAL VETO SUMMARY:**

A section concerning metropolitan park district bonds was vetoed. This section was identical to a section of law, previously enacted and the veto was necessary in order to prevent a double amendment.



**SHB 393**

C 103 L 83

By Committee on Local Government (Originally sponsored by Representatives Smitherman, Zellinsky, Moon and Fisher)

Authorizing assistance to street abutters in improving streets.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Existing law provides threshold dollar values of public works projects in cities and towns, where such projects may not be performed by city or town employees, but must be put out by contract for private enterprise to perform.

**SUMMARY:**

Counties, cities and towns may assist street abutters in improving the street serving their premises, by providing supplies and materials to the abutters, or paying the abutters for such materials, and inspecting the work. Such assistance shall not render the street improvements a public work that is subject to competitive bidding requirements. The local legislative authority shall approve such assistance at a public meeting and shall maintain a register of such assistance.

**VOTES ON FINAL PASSAGE:**

House	91	0
Senate	37	10 (Senate amended)
House	94	0 (House concurred)

**EFFECTIVE:** July 24, 1983

**HB 399**

C 12 L 83 E1

By Representatives Sayan, Belcher and McClure

Modifying provisions relating to sales of timber from state-owned land.

House Committee on Natural Resources

Senate Committee on Natural Resources

**BACKGROUND:**

State-owned timber is sold by public bid to the highest bidder. The sale contract specifies the date by which timber is to be removed, usually up to three years from the date of purchase. Payments are made as timber is removed. In a fluctuating timber market, the value of timber at harvest may be higher or lower than the bid price. A part of the Forest Products Industry Recovery Act of 1982 was a method to index state stumpage prices to reflect market changes which occur between the time the timber is bid and the time it is harvested and paid for. The indexing mechanism consists of determining on a quarterly basis market prices for various timber species. The indexing system requires the sales price of state timber to be adjusted by 50 percent of the market change subsequent to the bid date. In effect, the state will share in 50 percent of both the gains and losses which occur in value from the time the timber is bid to the time the timber is harvested and paid for.

The Department of Natural Resources was required to report its proposed rules for implementing the indexing mechanism to the legislature. The Department recommends that if price indexing is to be used, some modifications be made to the 1982 law. The indexing system is to begin April 1, 1983.

**SUMMARY:**

Timber price indexing will apply only to sales over \$20,000 and apply only to major timber species. In addition, cash sales are excluded from indexing provisions. The method of determining a price index is not restricted to sales in Washington State. In no case shall the sale price be lower than a base price necessary to fulfill trust obligations. The Department is required to adopt rules to implement timber price indexing. Timber price indexing will commence on October 1, 1983, and end on October 1, 1987.

Termination Date: October 1, 1987

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	92	3
Senate	37	10 (Senate amended)

First Special Session

House	91	3	
Senate	39	7	(Senate amended)
House	92	1	(House concurred)

EFFECTIVE: March 31, 1983

**SHB 409**

C 104 L 83

By Committee on Higher Education (originally sponsored by Representatives Tanner, Prince, Galloway, Sutherland, Heck, Grimm, Belcher, Ristuben, Monohon, J. King, Charnley and Struthers)

Providing for reciprocity between Washington and Oregon for nonresident tuition waivers.

House Committee on Higher Education

Senate Committee on Education

**BACKGROUND:**

In 1979, the legislature authorized a limited reciprocal tuition agreement with Oregon. Nonresident tuition and fees for Oregon border area residents are waived at selected Washington community colleges and The Evergreen State College. Oregon grants similar waivers for upper-division Washington border area residents to attend Portland State University. Waivers are based on yearly agreements signed by the Council for Postsecondary Education (CPE) and education officials in Oregon. A biennial payment between both states is authorized where the loss of one state's revenue exceeds that of the other by more than \$25,000 per year.

Since 1979, four yearly agreements have been reached by CPE and the Oregon State Education Coordinating Commission. In the 1979-81 Biennium, restricted enrollments at Washington community colleges and the larger nonresident fee differential in Oregon caused Oregon waivers to exceed those granted in Washington by \$155,727. After deducting the \$25,000 tolerance band, Washington paid Oregon \$105,727. Agreements reached in the 1981-83 Biennium provide a more balanced exchange making it unnecessary for either state to make a payment to the other during the biennium.

**SUMMARY:**

The legislative authorization for reciprocal tuition agreements with Oregon is expanded. Nonresident tuition and fees will be waived at all Washington institutions of higher learning for Oregon residents upon completion of an agreement between the Council for Postsecondary Education and Oregon granting similar waivers for Washington residents at Oregon colleges and universities.

The Council for Postsecondary Education is directed to review the costs and benefits of the expanded program, and to report their findings to the governor and the legislature biennially.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	46	0

EFFECTIVE: July 24, 1983

**HB 413**

C 64 L 83

By Representatives Monohon, Vekich, Sayan, Van Dyken, Fisch and McClure

Extending the allowed duration of leases of port district property.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Existing law permits port districts to generally lease property, other than property devoted to airport purposes, for up to 50 year periods.

**SUMMARY:**

Port districts are authorized to include in a general lease of port property an option to extend the lease for up to an additional 30 years.

**VOTES ON FINAL PASSAGE:**

House	92	3
Senate	44	0

EFFECTIVE: July 24, 1983

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**HB 419**

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**HB 419**

C 190 L 83

By Representatives Niemi, Johnson and Belcher

Amending procedures for the filing of reports regarding prearrangement contracts by cemeteries.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

All cemeteries in the State of Washington which deal in prearrangement contracts are required to deposit specified portions of the prepayments (usually fifty percent) into prearrangement trust funds established in the customers' names. The cemeteries must file with the Cemetery Board an annual financial report on these prearrangement trust funds. The reports must be verified by the president of the cemetery authority, the person who prepared the report, and a certified public accountant (CPA).

Cemeteries must also file annual reports on endowment care funds. However, review and verification of these reports by a CPA is optional unless required by the Cemetery Board.

Any cemetery which does not annually submit reports verified by a CPA for both endowment care and prearrangement trust funds is to undergo examination by the Board's staff at least once every three years.

A substantial number of cemeteries regulated by the Cemetery Board have prearrangement trust funds totaling under \$10,000.

**SUMMARY:**

Reports on prearrangement trust funds filed annually with the Cemetery Board must be verified by the accountant or auditor who prepared them and two officers of the cemetery authority, including either the president or vice president. Verification of these reports by a certified public accountant would also be required from cemetery authorities which manage over \$500,000 in prearrangement trust funds, and may be required by the Cemetery Board from any cemetery authority "for good cause".

**VOTES ON FINAL PASSAGE:**

House	92	1
Senate	42	0

EFFECTIVE: July 24, 1983

**HB 420**PARTIAL VETO

C 5 L 83 E1

By Representatives Niemi, J. Williams and Belcher

Changing the calculation of fees for the issuance of certification of authority by the cemetery board.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

The Cemetery Board has six members appointed by the Governor, including three cemetery operators, two members with legal or accounting expertise, and one representative of the general public. The members receive no compensation for their services, other than reimbursement for travel expenses. The Board is staffed by a part-time executive secretary. The main responsibilities of the Board are to safeguard the endowment care funds held in trust for owners of cemetery plots or crypts, and to ensure proper deposit of prepayments into prearrangement trust funds. The activities of the Cemetery Board are supported entirely through its fees.

In order to make any interments, a private cemetery must be certified annually by the Cemetery Board. The Board charges a certification fee to each cemetery authority based on the number of interments, entombments and inurnments it has performed in the preceding calendar year. For the past three years, the Cemetery Board has set these fees at the maximum level allowable under current statutes. The present fee structure is based on a flat rate applied to each size class (from \$100 for cemeteries which performed one hundred burials or fewer in the preceding calendar year, to \$500 for cemeteries which performed over 700 burials in that time), plus an additional charge of \$1.00 per interment, entombment and inurnment performed during the preceding calendar year.

Any person, corporation or other legal entity wishing to purchase or otherwise gain ownership or control of a cemetery authority must apply for a new certificate of authority and must agree to be bound by all then existing prearrangement contracts.

#### SUMMARY:

The Cemetery Board can set annual fees for certification of cemetery authorities up to a maximum of \$4.00 per interment, entombment and inurnment performed during the preceding calendar year.

An exception is provided to the requirement that entities wishing to acquire ownership or control of a cemetery authority must be bound by all existing prearrangement contracts. Under this exception, the Cemetery Board may waive the requirement, but only in the case of contracts for cemetery merchandise or services and under the following conditions:

- (1) the Cemetery Board must determine that the waiver is in the public interest;
- (2) the contract must have been entered into prior to June 7, 1979; and
- (3) the entity which is to transfer the ownership or control is a federal or state chartered bank, savings and loan association or credit union which did not participate in the operation or control of the cemetery and which acquired its ownership or control through foreclosure of a first lien mortgage or deed of trust.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

House	97	1	
Senate	48	0	(Senate amended)
House			(House refuses to concur)
Senate			(Senate refuses to recede)

##### First Special Session

House	94	0	
Senate	38	0	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: August 23, 1983

#### PARTIAL VETO SUMMARY:

The Governor vetoed a section which provided an exception, under certain circumstances, to the requirement that entities wishing to argue ownership or control of a cemetery authority must be bound by all existing prearrangement contracts.

## SHB 426

### FULL VETO

By Committee on Constitution, Elections & Ethics  
(Originally sponsored by Representatives Pruitt, Patrick, R. King, Moon, Miller, Armstrong, Lux, Hine, Garrett, Brekke, Ellis, Long, Wang, Powers, Holland, Ristuben and Ebersole)

Revising the regulation of political activity by public employees.

House Committee on Constitution, Elections & Ethics

Senate Committee on Local Government

#### BACKGROUND:

Washington's version of the federal Hatch Act deals with both state employees and employees of political subdivisions. An attorney general's opinion concludes that the word "subdivision," as used in this law, includes municipalities as well as counties.

With one exception, this law prohibits a compulsory assessment or involuntary contribution to a partisan, political organization. It also prohibits the soliciting of contributions for partisan, political purposes on the property of the state or its "subdivisions."

Employees of the state and each political "subdivision" are authorized to participate in the management of partisan, political campaigns. The law is silent, however, in respect to nonpartisan, political campaigns. City elections are nonpartisan and most cities have charter provisions or ordinances prohibiting their employees from becoming involved in the management of campaigns for city office. Under state election law, county elections are partisan; however, Whatcom County has adopted a charter providing that certain county elections are nonpartisan.

The law also expressly authorizes employees of the state and each political subdivision to hold any political party office.

#### SUMMARY:

The statutory prohibition against compulsory assessments and involuntary contributions and against solicitations on public property is expanded to apply to any political organization or political purpose.

Employees of the state or its subdivisions are authorized to participate in the management of non-partisan, as well as partisan, political campaigns and to hold any political office (as opposed to just a political "party" office). Such employees shall not participate in a political campaign for public office while wearing clothing that is, bears, or can reasonably be expected to be misinterpreted as being an official insignia or symbol of the employing agency.

No employee of a county, city, or town may hold elective office with the employing county, city, or town without taking a leave of absence from such public employment.

VOTES ON FINAL PASSAGE:

House	80	16
Senate	36	9 (Senate amended)
House	71	25 (House concurred)

EFFECTIVE: Full Veto  
(See VETO MESSAGE)

**HB 428**

C 45 L 83 E1

By Representative Armstrong, West, Dellwo, Wang and Niemi

Modifying certain court procedures.

House Committee on Judiciary

Senate Committee on Judiciary

BACKGROUND:

Various procedures exist for the enforcement of judgments entered in civil lawsuits. Court clerks are required to perform certain functions in connection with the entering and enforcement of those judgments. If a sheriff executes a writ of execution and seizes any money, the money must be turned over to the court clerk within 20 days. The clerk must then notify the party to whom the judgment is owed. A sheriff or clerk who fails to comply with these requirements is liable for a monetary penalty.

At the conclusion of a proceeding for dissolution of marriage, a certificate must be filed with the Department of Social and Health Services. If the

court orders a party to a child custody proceeding to make child support payments through the court clerk, the clerk must contact the party if a payment is five days past due. If payment is not received within another ten days, the clerk must notify the prosecuting attorney. The clerk is also required to attach an identifying page to the outside of the judgment roll.

Although a judgment creditor may generally execute on the property of a debtor, some exceptions exist. Certain types of personal property of a judgment debtor, with a maximum dollar value on each type, are exempt from execution by creditors. A debtor is also given an automatic homestead exemption on the family residence up to \$20,000. A judgment debtor may be ordered to appear before the court for a supplemental proceeding to determine what assets the debtor has to satisfy the judgment. If a seller of real property, which has been sold on a contract, has a judgment entered against him or her, a lien is placed on the property to the detriment of the contract purchaser.

In any civil action, the prevailing party is entitled to certain costs, but what costs may be recovered are not established by statute causing a lack of uniformity between courts.

SUMMARY:

The duty of the clerk of court to pay over monies executed on by the sheriff is made subject to court order only. The clerk is required to notify the party that money has been paid into court. The clerk's duty to notify a party behind in child support payments is eliminated. A provision relating to attaching an identifying page to a judgment roll is repealed.

The value of each type of personal property exempt from execution is increased. The homestead exemption is also increased to \$25,000. If a judgment debtor who has been served with notice fails to appear at a supplemental proceeding, the plaintiff is entitled to recover costs of service, reasonable attorney fees, and notary fees. A seller's interest in a real estate contract is not considered real estate for purposes of judgment liens.

The costs which may be awarded in a civil action are defined to include filing fees, service of process fees, publication fees, notary fees, costs of obtaining records used at trial, statutory attorney and witness fees, and costs of depositions to the extent they are used at trial.

A party filing a petition for dissolution is required to submit a completed certificate for the Department of Social and Health Services.

VOTES ON FINAL PASSAGE:

Regular Session

House 91 1  
Senate 48 1 (Senate amended)

First Special Session

House 93 1  
Senate 38 1 (Senate amended)  
House (House refused)

Free Conference

Senate 46 0  
House 79 2

EFFECTIVE: August 23, 1983

## HB 430

C 105 L 83

By Representatives Heck, Galloway, Burns, Dickie, Sanders, Taylor and Hine

Extending the duration of the Temporary Committee on Educational policies, Structure, and Management.

House Committee on Education

Senate Committee on Education

BACKGROUND:

The Temporary Committee on Educational Policies Structure and Management was created by the legislature in 1982. The committee is directed to undertake a general review of the entire structure of Washington education, analyze 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. The committee is required to make its initial recommendations to the 1983 legislature. The committee will cease to function at the conclusion of the 1984 legislative session.

SUMMARY:

The date by which the Temporary Committee on Educational Policies Structure and Management is to provide initial recommendations is extended until the 1984 legislative session.

The committee will make its full report and recommendations to the legislature during the 1985 legislative session. The life of the committee is extended until the conclusion of the 1985 legislative session.

Future Obligation: The committee is required to make initial recommendations to the legislature during the regular legislative session in 1984 and its full report during the 1985 legislative session.

Termination Date: The Committee shall cease to function at the conclusion of the regular legislative session in 1985.

VOTES ON FINAL PASSAGE:

House 95 2  
Senate 43 3

EFFECTIVE: April 22, 1983

## SHB 431

C 191 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Locke, Pruitt, Van Dyken, Brekke, Patrick, Haugen, Wang, Lux, Lewis, G. Nelson, Todd, Holland, Jacobsen, Isaacson, Miller and Schoon)

Modifying the sentencing of juvenile offenders.

House Committee on Social & Health Services

Senate Committee on Judiciary

BACKGROUND:

The current sentencing system for juvenile offenders requires the sentencing judge to sentence a juvenile within standard sentence ranges established by a juvenile sentencing commission. However, when a juvenile has been found guilty of an offense, the judge may decide that the sentence recommended by the sentencing guidelines is not appropriate for that specific child committing that specific offense at that time. If this is the judge's opinion, the judge may declare a "manifest injustice" and impose a sentence either greater or lesser than that recommended by the guidelines. The judge must state in writing the reasons for the judge's declaring a "manifest injustice". Of the

juveniles who are confined in state juvenile institutions, approximately forty percent have been sentenced as "manifest injustice" cases.

Authorized leaves and passes for juveniles who are confined in state institutions are used in the rehabilitation process for the reintegration of such juveniles into the community. Currently, decisions to place a juvenile offender on leave are made administratively. It is argued that administrative practices that allow offenders to take leaves of absence prior to serving their minimum terms of confinement threaten public safety and undermine the basic policies of the Juvenile Justice Act.

Persons working in the juvenile justice system have proposed a number of changes to the juvenile offender portion of the juvenile code. In general, the changes suggested are intended to enhance the existing code's policy of holding juveniles accountable for the crimes they commit and to improve the administration of the law by state and local officials.

#### SUMMARY:

The definition of manifest injustice is modified to include dispositions that would impose a serious and clear danger to society ("serious" is a new requirement).

A manifest injustice finding must be supported by clear and convincing evidence, rather than by facts established beyond a reasonable doubt. This change makes the trial court's standard the same as that applied on review by the appellate court.

A lid is placed on the maximum term of confinement which may be imposed on a juvenile offender: No term of confinement imposed on a juvenile may exceed the term of confinement to which an adult could be subjected for the same offense. The lid is applicable in all cases; whether or not a manifest injustice is declared is irrelevant.

A leave of absence policy for juveniles in state institutions is established. Standards governing eligibility for leaves and the duration of leaves are set forth. Generally, a juvenile must serve 60 percent of his or her term of confinement before being eligible for a leave. Emergency leaves of limited duration are authorized. Local law enforcement officials and, if requested, a victim or a victim's family, will be notified of a juvenile's leave from an institution.

Prior to authorizing a leave, the Secretary must receive a detailed leave plan which establishes

the purpose of the leave, the identity of the person responsible for supervising the juvenile during the leave, and the address at which the juvenile will reside.

The Secretary must submit a report detailing information on escapees from juvenile institutions, the number of authorized leaves granted, and the number and nature of offenses committed while on leave. This report will be submitted along with security guidelines which the Secretary is now statutorily required to report to the Legislature.

The court may modify and enforce orders to pay statutory penalty assessments (e.g., crime victim compensation penalty assessments) in the same manner that other terms of a sentence may be enforced or modified. Current law provides no mechanism to enforce these types of orders, forcing courts to resort to cumbersome contempt proceedings. A court may impose up to 30 days detention for wilful failure to pay costs or penalties; the term of confinement imposed is at a rate of one day of confinement per each \$25 owed.

A court may authorize conversion of a juvenile offender's fine into hours of community service if the juvenile offender cannot, because of a change in circumstances, reasonably comply with the order to pay the fine. Community service hours imposed may not be converted into a fine.

The court may impose restitution for offenses which are not prosecuted if the juvenile offender, pursuant to a plea agreement, pleads guilty to a lesser offense and agrees with the prosecutor's recommendation that the offender pay restitution to a victim. The court may consider an offender's ability to pay in requiring full or partial restitution. This broadens the existing requirements that the court require restitution by a convicted juvenile for any loss or damage caused by the juvenile's crime.

The definition of a minor or first offender is narrowed by excluding offenders who have been convicted of negligent homicide or arson in the second degree. The effect of this change is to reclassify juveniles convicted of negligent homicide or second degree arson as middle offenders, thus giving the court the authority to sentence such juveniles to confinement for up to 30 days.

A fine of up to \$100 as part of a diversion agreement may be imposed as part of a diversion agreement. In determining the amount of the fine, the diversion unit shall consider only the juvenile's

financial resources and not those of the juvenile's parents, guardian or custodian. A diversion fine may be converted into community service hours if the juvenile is unable to pay the fine due to a change in circumstances.

Diversion fines are to be paid into the county general fund in accordance with procedures established by the juvenile court administrator. Such monies are to be expended only for juvenile services. There is to be a maintenance of effort whereby counties exhaust existing resources before expending amounts collected under this section.

If a court has previously extended jurisdiction beyond the juvenile offender's 18th birthday and that period of extension has not expired, it may further extend its jurisdiction. Such an extension may not go beyond the offender's 21st birthday.

If an alleged act constitutes an offense under both the law of this state and any city or county, state law governs the prosecutor's screening and charging decision for both filed and diverted cases.

The records relating to a juvenile offense proceeding which may be routinely destroyed by juvenile justice agencies is expanded. An agency may routinely destroy records of those individuals 18 years or older and whose criminal history consists of only one referral for diversion, if two years have elapsed since completion of the diversion agreement.

Entry of information into the Juvenile Information System pertaining to official court actions in dependency and alternative residential placement cases is authorized.

The transfer of a juvenile offender to the Department of Corrections when his or her placement in a juvenile institution jeopardizes the safety of others in that institution may take place, following a hearing, with the consent of the Department of Corrections. A juvenile offender transferred to an institution operated by the Department of Corrections may not remain in that institution beyond the maximum term of confinement imposed by the juvenile court. The Department of Social and Health Services retains the authority to "re-transfer" such a juvenile to a juvenile facility it deems appropriate.

A person convicted as a juvenile and sentenced to a term of confinement in a juvenile institution who is subsequently convicted in adult court of a crime

and sentenced to a term of confinement with the Department of Corrections may, with the consent of the Department of Corrections, be transferred to an institution operated by that department. The juvenile and adult sentences are to be served consecutively. Time served on an adult conviction may not be credited against the term of confinement ordered by the juvenile court.

To reduce reliance on state institutions and facilitate planning, consolidated juvenile services is defined as a mechanism for state support of community-based treatment and supervision of juvenile offenders who are not committed to the Division of Juvenile Rehabilitation but remain in the community. DSHS is to adopt rules and standards governing programs and distribution of funds, including contracting with private, nonprofit agencies. Any county or group of counties may apply to the Department for funds. An application for funds must comply with departmental standards and must be based on a comprehensive planning process which consolidates all community services for juvenile offenders.

The Secretary of DSHS is required to monitor the population in the state's juvenile institutions. If the average daily population exceeds 105 percent of the rated bed capacity, the Secretary may, with the certification of the Governor, release those offenders who have served the greatest proportion of their sentence. Release of an offender may be denied if the Secretary finds there is no responsible custodian to whom the offender may be released. "Serious offenders", as defined in the code, may not be released under these provisions.

Release of an offender may be denied by the Secretary at the offender's request or if the release of the offender would pose a clear danger to society. These provisions allow the Department to exercise additional discretion to maximize public safety and protect the interest of the offender.

Recent budget cuts have placed a severe strain on funds available to provide diagnostic services to county juvenile courts. Accordingly, the Secretary is authorized, when necessary, to create waiting lists and to prioritize the use of diagnostic services for juvenile offenders on the basis of need.

The statute directing the Juvenile Disposition Standards Commission to establish standard range sentences for all offenses is amended to require the Commission to consider the capacity of state



## SHB 431

juvenile institutions and the projected impact of the standards on institutional populations.

**Rule Making Authority:** The bill delegates new rule-making authority to the Department of Social and Health Services.

**Termination Date:** Provisions relating to imposition of diversion fines and early release of juvenile offenders terminate on June 30, 1985.

### VOTES ON FINAL PASSAGE:

House	62	26
Senate	48	0 (Senate amended)
House	78	19

**EFFECTIVE:** July 24, 1983  
July 16, 1983 (Section 1)

## SHB 433

C 192 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Charnley, Pruitt, Brekke, Haugen, Ebersole, Wang, Lux, Locke, D. Nelson, Lewis, Belcher, McClure, Todd, Hine, Dellwo, Fisher, Burns, Powers, Jacobsen and Stratton)

Providing for children and family services.

House Committee on Social & Health Services

Senate Committee on Institutions

### BACKGROUND:

The Department of Social and Health Services (DSHS) provides a vast array of social and health services to children, youth, and their families. The department has established priorities for services to all department clients, including children and families, which give the highest priority to basic life support services, second priority to prevention and early intervention services which delay or reduce the need for basic life support, and third priority to services which improve access to the social and health delivery system. Social and health services which DSHS provides to children and families are provided through six divisions and bureaus and are available throughout the state. The divisions and bureaus include the Bureau of Alcohol and Substance Abuse, Bureau of Children's Services, Division of Developmental

Disabilities, Mental Health Division, Division of Juvenile Rehabilitation, and the Division of Health.

The current DSHS priorities for children and families and the existing organizational structure of the department present two major problems for social and health services for children and families. The first problem is that by placing the highest priority on such services as out-of-home placements, institutionalization, and hospitalization, rather than on services which delay or reduce the need for these services child or family problems which could be addressed early on are left to deteriorate until the problem becomes chronic and severe. This pattern can result in escalating requests for additional costly out-of-home and institutional placements because community-based early intervention programs do not exist in sufficient numbers. The second problem is caused by the organizational structure of DSHS as it relates to children and family services. With six divisions and bureaus providing services to children and families the potential exists for these social and health services to be poorly coordinated, leading to the existence of several relatively independent service delivery systems. This, in turn, creates gaps in services to children and families whose problems do not fit neatly into one specific delivery system and the potential for duplications and overlap as each delivery system attempts to provide a complete array of services to "their" clients.

### SUMMARY:

A state policy governing social and health services to children and families is established. It states that services which avoid premature, unnecessary, or inappropriate out-of-home placement or institutionalization are high priorities of the state.

The Department of Social and Health Services is required to develop and implement services which serve children and families as a unit, serve children and their families in their homes when appropriate, and prevent and intervene early to ameliorate social and health problems before they become chronic and severe. The department is also required to reduce duplications and gaps in service delivery and improve planning, budgeting, and communication among all units of the department serving children and families. Juvenile offenders whose standard range sentences do not include commitment must be served by non-residential community-based programs.

The Department is required to develop a plan to implement these policies and procedures, in cooperation with an advisory committee of community representatives, which will be presented to the legislature by November 15, 1983.

Outcome standards must be developed by the department which measure the effects of services provided to children and families. The Department must also develop community based alternatives to out-of-home placements and institutional placements for children. The plan the department is required to develop must be written in cooperation with an advisory committee of community representatives appointed by the secretary. The establishment of local volunteer oversight groups to monitor the implementation of this act is also authorized.

Future Obligation: A report is required to be submitted to the appropriate committees of the house and senate by November 15, 1983.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	41	6 (Senate amended)
House	97	0 (House concurred)

EFFECTIVE: July 24, 1983  
January 1, 1984 (Sections 2 through 4)

**SHB 434**

C 287 L 83

By Committee on Labor (originally sponsored by Representatives R. King, Patrick, Fisher and Lux)

Modifying provisions relating to collective bargaining.

House Committee on Labor

Senate Committee on Commerce & Labor

BACKGROUND:

Firefighters employed by cities and counties fall within the definition of "uniformed personnel" contained in the Public Employees Collective Bargaining Act. As such, they are subject to the

sections of that act which provide for binding arbitration to resolve labor disputes.

There is a legal question, however, whether firefighters employed by port districts are covered by the binding arbitration provisions of the Public Employees' Collective Bargaining Act. These firefighters are clearly covered by a separate port district employment relations law; the question is whether they are also covered by the Public Employees' Collective Bargaining Act. The port district employment relations law is limited in scope and has no provisions for binding arbitration.

SUMMARY:

The coverage of the Public Employees' Collective Bargaining Act is extended to port district employees to the extent that it is not inconsistent with the port district employment relations law. As a result, the binding arbitration provisions of the Public Employees' Collective Bargaining Act will be applicable to port district firefighters as well as to firefighters employed by cities and counties. (These binding arbitration provisions apply only to uniformed personnel; other provisions will apply to all port employees.)

Various changes are made in the statutes governing arbitration panels: The issues which may be decided by an arbitration panel are limited to those certified by the executive director of the Public Employment Relations Commission. The arbitration panel is to compare the compensation of employees covered by binding arbitration with the compensation of "like" personnel of "like" employers of similar size on the west coast of the United States. The deadlines for appointing and convening the arbitration panel are extended. Numerous technical changes are made in the laws relating to binding arbitration.

VOTES ON FINAL PASSAGE:

House	69	25
Senate	28	19 (Senate amended)
House	72	22 (House concurred)

EFFECTIVE: July 24, 1983

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**HB 436**

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**HB 436**

C 193 L 83

By Representatives Monohon, Vekich, Patrick, Zellinsky, Smitherman, Belcher, Sanders, McClure, Taylor, Fisch, Ristuben, Powers, Egger, Jacobsen, Stratton, Isaacson, Long, P. King, and Schoon.

Exempting persons over sixty-five from fees for collecting wood from state beaches and parks.

House Committee on Natural Resources

Senate Committee on Natural Resources

**BACKGROUND:**

Wood debris in state parks is made available to the public. The wood debris usually consists of logs or drift wood washed up on the beach. A permit is required to cut and remove the wood from the park. The permit fee is \$10.00.

The State Parks Commission is prohibited from operating the swimming pool at St. Edwards State Park, but may contract out operation of the pool to local government.

**SUMMARY:**

Persons over sixty-five years of age are exempt from permit or administrative fees for collecting wood debris from state parks if the wood is for personal use.

The prohibition which does not allow the State Parks Commission to operate the pool at St. Edwards State Park is repealed.

**VOTES ON FINAL PASSAGE:**

House	90	0
Senate	44	0 (Senate amended)
House	92	4 (House concurred)

EFFECTIVE: July 24, 1983

**HB 441**

C 13 L 83

By Representatives J. King, Hankins, Stratton, Barrett, Hastings, Ellis and Miller

Modifying provisions relating to liquor service at international trade expositions and receptions.

House Committee on Commerce & Economic Development

Senate Committee on Commerce and Labor

**BACKGROUND:**

The Pacific Northwest World Trade Exposition is to be held in Spokane March 22, 23 and 24, 1983. Because of certain statutory prohibitions, manufacturers of liquor, wine and beer cannot donate and/or serve their products without charge at an international trade fair.

**SUMMARY:**

Upon application, the Liquor Control Board is required to issue a special permit to a manufacturer, importer or wholesaler of liquor to donate and/or serve such liquor without charge to delegates and guests at an international trade show.

Such liquor to be donated or served shall be subject to appropriate state liquor taxes.

**VOTES ON FINAL PASSAGE:**

House	89	0
Senate	42	4

EFFECTIVE: March 21, 1983

**HB 446****FULL VETO**

By Representatives Sayan, Dellwo, Todd, Allen, Holland, Lux, Vekich, Patrick, Crane, Brough, Ebersole, Belcher, Fisch, Fisher, Niemi, Kreidler, Betzoff, Smitherman, Zellinsky, Ristuben, Powers and Miller

Permitting access by employees to their personnel files.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

State law currently does not require private sector employers to grant employees access to their personnel files. Public sector employees generally do have access to their files, however.

**SUMMARY:**

All employers are required to permit a former or current employee to inspect his or her personnel file. The Department of Labor and Industries will determine "reasonable times and intervals" for such inspections by employees.

An employer is required to:

- (a) keep a copy of each employee's personnel file at the place the employee reports to work (at the employer's place of business); or
- (b) make the file available to the employee within a reasonable period of time after it has been requested.

The employee may petition the employer to review all information in the file. The employer must determine if there is any irrelevant or erroneous information in the file and must purge all such information. Employees who disagree with employer's determination regarding whether any information is irrelevant or erroneous may (if there is no grievance procedure in effect under a collective bargaining agreement) file a complaint with the Department of Labor and Industries.

The Department may investigate and order the purging of material from the employee's personnel file.

Employees may have placed in the personnel file a statement containing the employee's rebuttal or correction.

**VOTES ON FINAL PASSAGE:**

House	76	19
Senate	30	18 (Senate amended)
House	75	19 (House concurred)

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

**SHB 452**

C 194 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Kreidler, Lewis and Mitchell)

Creating provisions relating to blind persons.

House Committee on Social and Health Services

Senate Committee on State Government

**BACKGROUND:**

The commission for the blind, established in 1977, has gone through the processes of the Sunset Act and is scheduled for termination on June 31, 1983, unless reauthorized by law. The Legislative Budget Committee audit recommended the retention of an independent state agency serving the blind under a director appointed by the governor, and elimination of the 5 member commission. Presently, the commission acts as the sole agency for serving the blind community and has authority to administer the Prevention of Blindness Program, the Medicaid portion now operated by the Department of Social and Health Services by inter-agency agreement.

**SUMMARY:**

A Department of Services for the Blind is established as an independent state agency under a director appointed by the governor. The current 5 member commission is converted into an advisory council of from 6 to 10 members. The Department shall act as the sole agency for contracting and disbursing federal and state funds for the blind, except with regard to the vocational rehabilitation and Prevention of Blindness program (Medicaid) currently operated by the Department of Social and Health Services. The duties of the state agency serving the blind are reauthorized, including: (1) the vending operations of the federal Business Enterprises Program, (2) operation of orientation and training centers and rehabilitation facilities; and; (3) the offering of services to blind children and families, including information and referral services. The Department is terminated on June 30, 1987 under the review provisions of the Sunset Act. Current statutes in conflict with the bill are repealed. State employees' records and funds pertaining to the Prevention of Blindness Program are transferred to the Department of Social and

## SHB 452

Health Services effective immediately. The remainder of the act takes effect on June 30, 1983.

Agency or Committee Created/Eliminated The Commission for the Blind is eliminated. The Department of Services for the Blind is created.

Rule Making Authority: The bill delegates new rule-making authority to the Department of Services for the Blind.

Termination Date: The Department of Services for the Blind is subject to the sunset review procedures and will cease to exist on June 30, 1987, unless extended by law.

### VOTES ON FINAL PASSAGE:

House	92	2
Senate	46	0 (Senate amended)
House	96	1 (House concurred)

EFFECTIVE: June 30, 1983  
May 16, 1983 (Sections 26 and 27)

## SHB 458

C 288 L 83

By Committee on Judiciary (originally sponsored by Representatives Armstrong, Padden, Todd, R. King, Johnson, Appelwick, Isaacson, Lewis, Ristuben, Wang, Ebersole, Braddock, Powers, Jacobsen and Haugen; by Attorney General request)

Establishing the Antitrust/Consumer Protection Improvements Act.

House Committee on Judiciary

Senate Committee on Judiciary

### BACKGROUND:

In 1939, the legislature enacted the "Unfair Practices Act" (Chapter 19.90 RCW). This act generally prohibits pricing practices that are designed to destroy or prevent business competition. Prohibited practices include the use of differential pricing not reflective of product cost or legal competitive prices, "loss leaders" and secret rebates or unearned discounts.

In 1961, the legislature enacted the "Consumer Protection Act" (Chapter 19.86 RCW). This act generally prohibits "unfair methods of competition

and unfair or deceptive practices in the conduct of any trade or commerce." This latter enactment appears to encompass all of the prohibited practices identified in the 1939 law. It allows suits to be brought in superior court and authorizes treble damages and the award of reasonable attorney's fees. A civil penalty of up to \$25,000 is authorized for violations of injunctions under the act and for violations which amount to monopolization or restraint of trade.

The law allows state courts to be guided by federal court interpretations of similar federal laws.

### SUMMARY:

The "Unfair Practices Act" (Chapter 19.90 RCW) is repealed. An intent is expressed to continue the prohibitions of that act under the newer Consumer Protection Act.

Actions may be brought under the Consumer Protection Act in justice court, subject to jurisdictional limitations. Notification of the attorney general is required when actions for injunctive relief are brought or appeals filed. Civil penalties of up to \$100,000 for an individual and \$500,000 for a corporation are authorized for violations that amount to monopolization or restraint of trade.

State courts may look to federal court and federal trade commission final decisions on federal laws similar to the Consumer Protection Act.

### VOTES ON FINAL PASSAGE:

House	95	0
Senate	44	0 (Senate amended)
House	96	1 (House concurred)

EFFECTIVE: July 24, 1983

## SHB 463

C 195 L 83

By Committee on Judiciary (originally sponsored by Representatives Dellwo, Locke, Padden and Niemi)

Modifying definition of full-time judges of courts of limited jurisdiction.

House Committee on Judiciary

Senate Committee on Judiciary

## BACKGROUND:

Full-time judges of courts of limited jurisdiction are prohibited from practicing law. Full-time judges are those in districts with more than 40,000 people and those whose salaries exceed \$15,000.

A district court judge's salary is reduced for each day beyond 30 in a year that a pro tem judge is required to take his or her place. One district court judge is required by law to spend several days a year attending Judicial Qualifications Commission meetings as a member of the commission.

## SUMMARY:

The definition of full-time judge of a court of limited jurisdiction is changed by increasing the minimum salary level to \$40,000.

District court judges are allowed up to 15 days per year for service on commissions created by the legislature or Supreme Court without a reduction in pay. Compensation to any pro tem judge required by such service may be paid from the Judiciary Education Account.

## VOTES ON FINAL PASSAGE:

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

EFFECTIVE: July 24, 1983

**SHB 466**

C 62 L 83 E1

By Representatives McClure, Fisch, Haugen and Egger

Repealing the business inventories property tax exemption and providing for local revenue distribution.

House Committee on Ways & Means

## BACKGROUND:

Under the Inventory Tax Phaseout Program, business inventories are scheduled to be completely exempt from property tax payment in calendar 1984. Under the 106% limit, this reduction in the tax base will likely result in an increased tax rate and

increased property tax liability on the noninventory property constituting the remaining tax base (a tax shift).

Timber on state and local government lands sold prior to August 1, 1982 is taxable under the property tax and qualifies for the Inventory Tax Phaseout Program. Timber on such lands sold after August 1, 1982 is exempt from the property tax and is subject to the timber excise tax.

The 106% limit allows a taxing district a 6% annual increase in property tax revenue. However, if a district does not impose the tax rate necessary to yield the 6% increase, the resulting reduced property tax revenue becomes the base for calculating the next year's 6% increase.

## SUMMARY:

The state will fund a portion of the tax shift which will occur in "excess inventory districts". An "excess inventory district" is defined as a district in which the value of business inventories exceeds 15% of the total assessed property in the district. In 1984, the state will make property tax payments on that portion of the inventory value which exceeds 15% of the total assessed value in an excess inventory district. For 1985, 1986, and 1987, the state will pay 75%, 50%, and 25% respectively, of the amount paid to the district in 1984.

Standing timber on state and local government lands sold after August 1, 1982 is liable for property tax payment and the timber excise tax. Any property taxes paid on "standing timber" in or after 1984 are allowed as credit against public timber excise tax. The amount of the credit is limited to the amount of the excise tax paid.

A district may choose to impose a property tax rate less than the rate allowed under the 106% limit. If it does, then the limit on property tax revenues for 1985 through 1988, is the same as if the maximum potential property tax had been levied in 1984.

**Appropriation:** \$14 million "over a four year period" with \$6.7 million earmarked for the 1983-85 biennium.

**Revenue:** The property tax is imposed on standing timber on public (non-federal) lands for timber sold after 8/1/82. A credit against the timber excise tax is provided for property tax paid on standing timber sold after 8/1/82.

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**SHB 466**

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Termination Date: Section 12 which addresses the maximum allowable property tax revenue under the 106% limit expires December 31, 1988.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
House	89	8	
Senate	25	23	(Senate amended)
House			(House refuses to concur, asks Senate to recede)
Senate			(Senate recedes)
Senate	31	17	

**EFFECTIVE:** June 13, 1983  
January 1, 1984 (Sections 6 - 8 and 14)

**SHB 470**

C 17 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representative Grimm)

Altering provisions relating to state funds.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

State timber revenues have fallen far below estimate. As a result, a shortage now exists in the University of Washington building account and the Common School Construction Fund.

Current law provides that the Department of Natural Resources may take up to 25 percent of the timber sale revenues from trust lands for their timber management costs. Funds set aside for management are placed in two accounts, the Resource Management Cost Account (RMCA) and the Forest Development Account. These accounts have an estimated balance at the end of the biennium of \$25.7 million.

**SUMMARY:**

The state treasurer is directed to transfer \$3.3 million from the Resource Management Cost Account to the University of Washington Building Account. This amount will be replenished in fiscal 1984 by a transfer from the balance remaining in the University of Washington Building Account of those monies available after meeting requirements of

the capital budget. To the extent these monies are not available, the general fund will be used for the transfer.

The Department of Natural Resources is authorized to increase deductions from the Common School Construction Account timber sales to 100 percent. This increase is permitted to recover an amount of up to \$14.0 million which has been transferred from the RMCA to the Common School Construction Fund through decreased deductions or direct transfer.

Future Obligation: Transfer of up to \$3.3 million to the Resource Management Cost Account

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>			
House	55	43	
<u>First Special Session</u>			
House	52	41	
Senate	46	1	(Senate amended)
House	53	42	(House concurred)

**EFFECTIVE:** May 13, 1983

**HB 471**

C 9 L 83 E1

By Representative Grimm

Modifying provisions relating to the judiciary education account

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

A 1981 law transferred the responsibility for training judicial personnel from the Criminal Justice Training Commission to the Office of the Administrator for the Courts. The costs of training judicial personnel are paid for by assessments imposed on fines for violations of state and local government traffic laws. Money in the account can be spent only for judicial education. The estimated account balance at the end of the current biennium is \$1,341,949 and at the end of the next biennium is \$2,312,692.

SUMMARY:

The permissible use of funds within the Judiciary Education Account is expanded.

If the legislature determines that the Judiciary Education Account balance exceeds the amount required for training of judicial personnel, it may make appropriations from the account for other judicial purposes.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>	
House	92 0
<u>First Special Session</u>	
House	93 0
Senate	45 0

EFFECTIVE: May 11, 1983

**SHB 476**

C 196 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Kreidler and Lewis; by Attorney General request)

Modifying procedures governing parole revocation and offenders records.

House Committee on Social and Health Services

Senate Committee on Institutions

BACKGROUND:

An on-site parole revocation hearing conducted by the Board of Prison Terms and Paroles is only open to a limited number of persons who are necessary to conduct the hearing. The Board may, but is not required to, admit other persons if the alleged parole violator consents. At the hearing, the Attorney General's Office represents the Department of Corrections' probation and parole officer who has alleged that the parolee has violated conditions of his or her parole.

The Board of Prison Terms and Paroles and the Department of Corrections do not currently have access to patients' mental health records maintained by the Department of Social and Health Services and its contracted care-givers.

SUMMARY:

Parole revocation hearings are opened to the public unless the Board of Prison Terms and Parole closes the hearing for specifically stated reasons. The Attorney General is authorized to make independent recommendations to the Board regarding whether a violation is serious enough to warrant revoking parole and returning the parolee to prison. The Board and the Department of Corrections are granted access to various kinds of mental health records maintained by the Department or its contractor.

VOTES ON FINAL PASSAGE:

House	96	2
Senate	45	0 (Senate amended)
House	94	0 (House concurred)

EFFECTIVE: July 24, 1983

**HB 479**

C 289 L 83

By Representative Appelwick

Modifying provisions on safe deposit companies.

House Committee on Judiciary

Senate Committee on Financial Institutions

BACKGROUND:

Safe deposit companies are authorized to open safe deposit boxes if rent has been unpaid for a year and at least 30 days notice has been sent to the owner. The opening of the box must be in the presence of a notary public and an officer of the company. After the opening, the contents are kept in the company's general safe for two years. Within ten days of the expiration of those two years, the company must notify the owner that the contents may be sold. If not claimed, the contents of the box are then kept for another two years, and after another 30 days notice may be sold at public auction. After deducting all accrued rental, storage and opening charges and expenses of sale, the company turns the proceeds over to the county treasurer of the county in which the sale was held. Any proceeds held by the county treasurer which remain unclaimed for ten years are turned over to the state treasurer for the benefit of



the permanent school fund. Contents of safe deposit boxes which are personal papers must be kept for five years and then may be destroyed.

The current unclaimed property law does not cover safe deposit box contents. However, a law passed during the 1983 Regular Session expressly provides that those contents will be presumed abandoned five years after the expiration of the rental period on the box.

SUMMARY:

The procedure to be followed by safe deposit companies in dealing with the contents of safe deposit boxes is simplified and shortened. The period after opening of a box during which the company must hold property is reduced from two years to one year. The requirement of a 30 day notice to the owner prior to the sale of a box's contents is removed. The company is authorized to deliver the contents of an opened box to the Department of Revenue instead of selling them.

The proceeds of any sale and any unsold property must be turned over to the Department of Revenue as unclaimed property.

VOTES ON FINAL PASSAGE:

House	90	0	
Senate	48	1	(Senate amended)
House			(House refuses to concur)
Senate	45	0	(Senate receded)

EFFECTIVE: July 24, 1983

**SHB 482**

C 72 L 83

By Committee on Transportation (originally sponsored by Representatives Martinis, Wilson, Walk, Sutherland, Patrick, Burns, McMullen, Ristuben, Prince, Barrett, Hankins, Fisch, Schmidt, Smith and Betrozoff)

Establishing standards for manufacturing motor vehicle license plates.

House Committee on Transportation

Senate Committee on Transportation

BACKGROUND:

The state of Washington began treating motor vehicle license plates with reflectorized sheeting in 1968. The purpose was to increase the visibility of the plates and was considered an added safety factor and law enforcement tool.

The reflectorized sheeting has to meet the federal standard requiring a minimal reflecting property. After five years the sheeting begins to deteriorate and loses its reflectivity. There are still many "painted" plates issued prior to 1969 which need to be replaced with reflectorized plates. Because license plates do not have to be replaced unless destroyed, defaced or lost, there is currently no way to test the reflectivity.

SUMMARY:

After January 1, 1985, new or replacement vehicle license number plates are required when an applicant applies for: (1) an original vehicle license for a vehicle with license plates that are over five years old; and, (2) a renewal vehicle license for a vehicle with vehicle license number plates that were issued before January 1, 1968. Plates that follow the owner, rather than the vehicle are exempt from the provisions of this act.

The Department of Licensing will begin to record vehicle license plate issuance on January 1, 1984.

VOTES ON FINAL PASSAGE:

House	87	1	
Senate	40	8	(Senate amended)
House	93	0	(House concurred)

EFFECTIVE: After January 1, 1985, all applicants for: (1) an original vehicle license must obtain new plates for a vehicle with plates more than five years old, (2) a renewal license for a vehicle with "painted" plates must obtain reflectorized plates. On January 1, 1984, the Department of Licensing begins to record vehicle license plate issuance.

**SHB 484**

C 290 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Monohon, Lewis, Kreidler, Stratton, Brekke, Schmidt, Jacobsen, Wang, Todd and Dellwo)

Establishing a long-term care ombudsman program.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

**BACKGROUND:**

Title III-B of the Older Americans Act of 1965, as amended, requires states to maintain ombudsman programs for senior citizens residing in long-term care facilities. While the Department of Social and Health Services has such a program currently, several questions have been raised regarding its efficacy. The Department operates the current ombudsman program without any specific state legislative direction.

**SUMMARY:**

An ombudsman program is established in the Department of Social and Health Services. The qualifications of any ombudsman using state or federal funds are enumerated. Long-term care facilities are required to post notices in their facilities of the existence of ombudsman programs and the nursing home toll-free hotline.

Volunteers participating in ombudsman programs are prohibited from engaging in the investigation of complaints or the resolution of problems. The activities of the state ombudsman and local government ombudsman programs are coordinated to avoid duplication of services.

**VOTES ON FINAL PASSAGE:**

House 87 1  
Senate 42 4

**EFFECTIVE:** July 24, 1983

**HB 487**

C 33 L 83

By Representative P. King

Modifying provisions relating to chattel liens.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

A person who performs work in the construction or repair of personal property may file a lien with the county auditor. The lien notice must be filed within 60 days after delivery of the property to the owner. If the lien is filed within this period, it takes priority over any liens which attach subsequent to the commencement of the work. The auditor may charge a fee for filing the lien.

**SUMMARY:**

The time in which a person may file a lien for work performed on personal property is extended to 90 days. A statutory provision setting a 15 cent fee for filing the lien is removed. Another statutory provision provides for a three dollar fee for recording miscellaneous records.

**VOTES ON FINAL PASSAGE:**

House 92 0  
Senate 44 0

**EFFECTIVE:** July 24, 1983

**SHB 488**

C 106 L 83

By Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Sanders, Zellinsky, P. King, Wang and Dickie)

Modifying provisions relating to health maintenance organizations.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

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**SHB 488**

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**BACKGROUND:**

Chapter 48.44 RCW governs health care service contractors (HCSC's) and Chapter 48.46 RCW governs health maintenance organizations (HMO's). However, each chapter contains provisions which govern both HMO's and HCSC's.

**SUMMARY:**

The powers, duties and restrictions applicable to HCSC's and HMO's are separated into two distinct chapters of Title 48 RCW.

HMO's which conform to federal standards for forming a governing body are deemed to be in compliance with similar state standards.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	38	0 (Senate amended)
House	93	0 (House concurred)

EFFECTIVE: July 24, 1983

**SHB 493**

C 197 L 83

By Committee on State Government (originally sponsored by Representatives Walk, Dickie, Lewis and Armstrong; by Joint Select Committee on Sunset request)

Providing for the termination of various state agencies and programs.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

One of the statutory responsibilities of the Joint Select Committee on Sunset is to recommend legislation to establish a sunset schedule for state agencies and programs. Since submitting the original schedule to the legislature in 1979, the Select Committee has updated it by proposing supplemental sunset lists, although individual agencies are also occasionally added to the list by the legislature in separate actions.

The sunset process was introduced in Washington State in 1977 as a procedure for legislative oversight of state agencies and programs in general,

rather than simply for elimination of agencies or programs that are deemed unnecessary or undesirable. As such, the process includes a number of procedural safeguards ensuring that agencies receive adequate consideration during sunset. Any agency or program scheduled for sunset will be reviewed and audited by both the Legislative Budget Committee and the Office of Financial Management during the year before its termination date. The Legislative Budget Committee holds two public hearings on the preliminary audit report before the report and its recommendations are submitted to the legislature. If the legislature does not take action to re-establish the agency or to continue it in modified form, the agency still has a one-year "wind-down" period following its termination date, in which to conclude its affairs, before its authorizing statutes are repealed.

Of the thirty-one agencies and programs which have gone through the complete sunset process to date, fourteen were re-authorized or modified, while the rest have been allowed to terminate. A number of the entities terminated in the first years of sunset were regulatory programs which were obsolete or no longer functioning.

There are currently twenty-one agencies or programs which, unless re-authorized, will terminate through the sunset process on June 30, 1983. Five agencies or programs are slated for sunset in 1984, two in 1985, two in 1987, and two in 1988.

In order to develop a new supplemental sunset schedule, in 1982 the Joint Select Committee on Sunset solicited recommendations from the Office of Financial Management, the Legislative Auditor, standing committee chairmen, and individual legislators. Members of the Select Committee then used these recommendations and some of their own to develop draft legislation scheduling more agencies and programs for sunset review. A decision was made to review some major state agencies or programs, as well as smaller entities or programs which appeared to be inactive.

**SUMMARY:**

The following agencies or programs are scheduled for sunset on June 30, 1985: The Museum of the University of Washington, the Council for Post-secondary Education, the Department of Commerce and Economic Development, the State Arts Commission, the regulation of landscape architects, the National Guard Educational Assistance Program, and the Washington Library Network.

The following entities are scheduled for sunset on June 30, 1986: The Fairs Commission, the Interim Committee on Public Employees Collective Bargaining, the Public Disclosure Commission, the Vehicle Inspection Program, the Commission on Vocational Education, the Educational Services Registration Act, the Training Standards and Education Boards under the Criminal Justice Training Commission, and statutes relating to minimum salaries of state employees, toll logging roads, boom companies, log driving companies, and bridging ditches across highways.

The following entities are scheduled for sunset on June 30, 1987: the Chiropractic Disciplinary Board, the regulation of drugless healing, the Midwifery Advisory Committee, the Nursing Home Advisory Council, the Emergency Medical Services Committee, the regulation of notaries public and commissioners of deeds, the regulation of nurses, and the Judicial Council.

Unless the legislature takes action to re-authorize each of these agencies or programs, or continue it in modified form, the entity will terminate on its sunset date; its statutory authorization will be repealed one year later, to allow the agency time to conclude its affairs.

**Future Obligation:** The Legislative Budget Committee and the Office of Financial Management will conduct program reviews of each of the sunsetted entities, and submit combined final reports on each of these reviews to the legislature, according to the deadlines in the Sunset Act. The legislature will refer these reports to the appropriate standing committees for review and possible legislative action.

**Agency or Committee Created/Eliminated** The following agencies or committees are subject to sunset review procedures and will be terminated on June 30, 1985, unless extended by law: The Museum of the University of Washington, the Council for Postsecondary Education, the Department of Commerce and Economic Development, the State Arts Commission, and the Washington Library Network. The following agencies or committees are subject to sunset review procedures and will be terminated on June 30, 1986, unless extended by law: The Fairs Commission, the Interim Committee on Public Employees Collective Bargaining, the Public Disclosure Commission, and the Commission on Vocational Education. The following agencies or committees are subject to sunset review procedures and will be terminated on

June 30, 1987, unless extended by law: The Chiropractic Disciplinary Board, the Midwifery Advisory Committee, the Emergency Medical Services Committee, the Judicial Council, and the Nursing Home Advisory Council.

VOTES ON FINAL PASSAGE:

House	89	1
Senate	41	4 (Senate amended)
House	96	0 (House concurred)

EFFECTIVE: July 24, 1983

## SHB 495

### FULL VETO

By Committee on Ways & Means (Originally sponsored by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang, Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson)

Providing post-retirement adjustments for public retirement systems.

House Committee on Ways & Means

Senate Committee on Ways & Means

BACKGROUND:

The following retirement systems for public employees have no effective mechanism for automatically adjusting the post retirement benefits: (1) Judges' Retirement System; (2) higher education faculty retirement programs; (3) Teachers' Retirement System; (4) Public Employees' Retirement System; and, (5) Washington State Patrol Retirement System.

Members of these systems who are receiving retirement benefits have had the purchasing power of their benefits reduced by inflation.

In 1979, the legislature, recognizing the problem of inflation, passed SHB 500 (Chapter 96, Laws of 1979

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**SHB 495**

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1st Ex. Sess.) which provided post retirement adjustments effective July 1, 1979, to eligible members of those retirement systems.

**SUMMARY:**

For those eligible, there is provided a permanent increase in the monthly benefits by a post-retirement adjustment of \$0.74 per month for each year of membership. The adjustment is effective July 1, 1978.

Only persons receiving benefits from one of the previously mentioned retirement systems may be eligible. To be eligible for the adjustment the person must either (1) be receiving a non-service (disability or survivor) benefit as of December 31, 1982; or (2) be receiving a service retirement benefit as of July 1, 1980.

Appropriation: Appropriates \$3,600,000 of which \$3,561,000 is General Fund-State and \$39,000 is Motor Vehicle Fund monies.

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 94 0

First Special Session  
House 96 0  
Senate 38 6 (Senate amended)  
House 96 0 (House concurred)

FULL VETO: (See VETO MESSAGE)

**SHB 496**

C 11 L 83 E1

By Committee on Ways & Means (originally sponsored by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betzoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong)

Modifying provisions on senior citizen tax relief.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

The incomes of senior citizen homeowners are generally much lower than those of other homeowners. In 1980, the largest concentration of seniors fell into the \$7,000 to \$8,000 income class and roughly one-half of all senior homeowners had incomes of less than \$21,000.

In recognition of the income gap between senior citizens and other homeowners, the legislature has enacted property tax exemptions to protect senior citizens from rising property taxes. Since the exemptions were first instituted in 1968, the legislature has increased the income limitations and the size of the benefits four times. These increases were enacted in order to protect beneficiaries from inflation.

The law provides the following exemptions to senior citizens: households with incomes of \$14,000 or less per year are exempt from 100 percent of special property tax levies; households with incomes of \$10,000 or less per year are exempt from 100 percent of special levies, plus the assessed value of the taxpayer's home is reduced by \$15,000. For example, if the value of a home was assessed at \$45,000, property taxes would be imposed on only \$30,000 of the home's value.

Senior citizen property tax relief results in a minimal loss of revenue to the state since the cost is shifted to other taxpayers. This shift is a result of the 106 percent limit on annual property tax increases. Under this limit, state and local property tax levies are limited to a six percent annual increase. When property taxes are reduced for some citizens, taxes for other citizens are increased.

The numbers of seniors participating has declined due to the effects of inflation on income levels. Furthermore, rapidly escalating property values have resulted in increasing property taxes for low income senior households.

Many seniors, whose incomes exceed the eligibility levels pay a large percentage of their income in nursing home care costs. Veterans receive attendant care and medical aid benefits as part of their pensions. These benefits could be counted as

income for the purposes of determining eligibility for property tax exemptions.

**SUMMARY:**

The minimum income of senior citizens eligible for property tax exemptions is increased and the amount of relief provided is increased. Two different relief schedules are provided for the years 1984 and 1985 in order to give property tax assessors more time to make administrative changes in the program.

For taxes paid in 1984 the relief is: households with incomes of \$15,000 or less are exempt from 100 percent of special levies; households with incomes of \$12,000 or less are exempt from 100 percent of special levies plus the assessed value of the taxpayer's home is reduced by \$20,000.

For taxes paid in 1985 the relief is: Households with incomes of \$15,000 or less are exempt from 100 percent of special levies. Households with incomes of \$9,000 to \$12,000 are exempt from 100 percent of special levies, plus the assessed value of the taxpayer's home is reduced by the greater of \$20,000 or 30 percent of its value, with a maximum of \$40,000. Households with incomes of \$9,000 or less are exempt from 100 percent of special levies plus the assessed value of the taxpayers home is reduced by the greater of \$25,000 or 50 percent of its value, with no maximum.

The definition of income for the purposes of eligibility for senior citizen property tax relief is changed. Income is defined as disposable income minus costs incurred for nursing home care. Veterans' military benefits used for attendant care and medical aid are excluded from the definition of income.

Senior citizens are no longer required to submit annual renewal applications to remain eligible for property tax exemptions. Once a senior citizen has become qualified for the exemption, she or he never has to reapply. The taxpayer is, however, required to inform the county assessor of any change in his or her status that affects eligibility.

The increased benefits provided to seniors results in a tax shift of an additional \$14.3 million to other taxpayers. In 1984, a homeowner with a \$75,000 home will pay \$21 per year in additional property taxes as a result of exemptions for seniors.

Revenue: Exemptions for senior citizens from property taxes are increased.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>		
House	93	0
Senate	48	0

**EFFECTIVE:** May 11, 1983  
January 1, 1984 (Sections 5 & 6)

**SHB 498**

C 150 L 83

By Committee on Judiciary (originally sponsored by Representatives Crane, Armstrong, Padden, Jacobsen, Appelwick, Todd, Isaacson, Silver, Schoon, Holland and Johnson)

Modifying provisions relating to driving while intoxicated.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Any person convicted of driving while intoxicated must attend an alcohol information school approved by the Department of Social and Health Services (DSHS), unless the court recommends immediate enrollment in an intensive treatment program. An alcohol information school may recommend that the individual attend a more intensive treatment program. The treatment school must submit a report to the Department of Licensing (DOL) that the driver has completed the diagnostic and treatment program. DOL may not issue a license until the driver has completed the program.

There is confusion and dispute over whether court probation personnel may, or should be allowed to diagnose alcohol problems and recommend treatment. Private agency alcoholism counselors currently do most diagnoses and treatment recommendations.

**SUMMARY:**

A person convicted of DWI must attend an alcohol information school or complete more intensive treatment in a program, as determined by the court. The court's determination is made upon a diagnosis done either by an alcoholism agency or

a district or municipal court probation department. The court may decide whether the agency or the probation department will do the diagnosis.

To be qualified to do diagnoses, a probation department must be approved by DSHS as having a sufficient number of qualified alcohol assessment officers. In order to be qualified, probation department officers must meet the same requirements as qualified alcoholism counselors, except that supervised assessment experience in a probation department is deemed equivalent to such work in an alcoholism agency.

**VOTES ON FINAL PASSAGE:**

House 93 4  
Senate 46 0

**EFFECTIVE:** July 24, 1983

**HB 511**

C 291 L 83

By Representatives Garrett, Isaacson, Patrick, Fisher and Hine

Adding certain aquatic programs to the local improvement powers of cities and towns.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Existing law authorizes cities and towns to create local improvement districts (LID's) and impose special assessments to pay for the expense of streets, water systems, bridges, sidewalks, street lighting systems and other local improvements. Metropolitan municipal corporation statutes reference these statutes.

**SUMMARY:**

Cities and towns may create local improvement districts and impose special assessments to fund programs of aquatic plant control, lake and river restoration, and water quality enhancement. Such a program may only extend for a term of up to 5 years. Special assessments can only be imposed on benefited waterfront property, including benefited waterfront property owned by a state

agency such as the Department of Natural Resources.

**VOTES ON FINAL PASSAGE:**

House 94 0  
Senate 35 11 (Senate amended)  
House 97 0 (House concurred)

**EFFECTIVE:** July 24, 1983

**HB 520**

C 198 L 83

By Representatives Hine, Barnes and Garrett

Authorizing special districts to modify rates and charges for low-income utility users.

House Committee on Energy & Utilities

Senate Committee on Energy & Utilities

**BACKGROUND:**

Rates for all utility services have gone up including rates for sewer and water service. Utility rate increases may impose a hardship on low-income (poor) persons with resultant inability to pay for essential utility services.

**SUMMARY:**

Sewer and water districts are authorized to adjust or delay rates and charges for poor persons. Other financial assistance available to poor persons shall be considered in determining rates or charges for them. Any special rates or charges shall be consistent throughout a district's service area. Notification of special rates or charges shall be made annually and upon initial service. This notification shall include information on any cost shifts caused by the special rates or charges.

Any reductions in charges and rates granted to poor persons shall be uniformly extended to poor persons in all other parts of the service area.

**VOTES ON FINAL PASSAGE:**

House 90 0  
Senate 45 2 (Senate amended)  
House 97 0 (House concurred)

**EFFECTIVE:** July 24, 1983

**SHB 522**

C 199 L 83

By Committee on Judiciary (originally sponsored by Representatives Locke, Padden, Crane, Prince, Halsan, Brough, O'Brien, Addison, Burns, Charnley, Lewis, Appelwick, Belcher, D. Nelson, Lux, Allen, Tilly, P. King, Smitherman, Dellwo, Moon and Niemi)

Requiring an advisement on deportation consequences prior to acceptance of a guilty plea.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Before a defendant enters a plea of guilty to a crime, the defendant must be advised of the nature of the offense and consequences of conviction. Persons who are not citizens of this country may be deported or refused entry into this country if they are convicted of a crime. A number of courts have held that the general duty to advise a defendant of the consequences of conviction does not require advising the defendant about the possibility of deportation. Other courts have overturned convictions based on the failure to advise a defendant.

**SUMMARY:**

Prior to accepting a guilty plea, the court is required to determine that the defendant has been advised about the consequences of conviction for a person who is not a citizen. If a defendant is not advised as required and the defendant can show that a conviction based on the guilty plea may lead to deportation or refusal of admission, the court must vacate the judgment of conviction and permit the defendant to enter a plea of not guilty. The advisement may be contained in a guilty plea statement.

The office of the administrator for the courts is required to notify the courts of the requirements of the law and to develop interim forms until rules are adopted by the Supreme Court. The Judicial Council will propose rules to the Supreme Court.

The effective date of the notice requirement is September 1, 1983.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	40	8

EFFECTIVE: July 24, 1983  
September 1, 1983 (Section 1)

**SHB 533**

C 107 L 83

By Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Sanders, P. King, Broback, Tanner, Stratton and Ballard)

Defining "bad debt list" for purposes of practices prohibited by collection agencies.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

Collection agencies are licensed and regulated by state law. One of the practices prohibited is posting or publishing "deadbeat lists". This term is not defined. Collection agencies are subject to other statutory limitations on their authority to communicate the existence of a claim to someone who might not reasonably be expected to be liable on the claim.

**SUMMARY:**

"Deadbeat list" is changed to "bad debt list" and defined as any list of "persons alleged to fail to honor their lawful debts". The prohibition on publication of such lists does prevent a licensed collection agency from communicating to its customers the existence of a dishonored check by means of a coded list whereby the debtor's identity is not readily apparent. However, the agency may not communicate such claims in this manner unless: (1) the claim is reduced to judgment or, (2) after notice, the debtor has failed to make arrangements to pay, or has failed to dispute the claim.



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**SHB 533**

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## VOTES ON FINAL PASSAGE:

House	95	0
Senate	41	1 (Senate amended)
House	94	0 (House concurred)

EFFECTIVE: July 24, 1983

**HB 534**

C 65 L 83

By Representatives P. King, Allen, Broback, Fisher and Gallagher

Modifying procedures for public transportation benefit areas.

House Committee on Transportation

House Committee on Transportation

## BACKGROUND:

Legislation authorizing the creation of Public Transportation Benefit Areas (PTBA's) was enacted in 1975. Public transportation is the only function which may be undertaken by a PTBA. A PTBA cannot impose any local taxes without voter approval and must adopt a public transportation plan that is subject to review and approval by the Department of Transportation. A PTBA may be less than countywide, or multi-county, provided there is only one PTBA per county. Twelve PTBA's have been established to date.

Some PTBA authorities believe PTBA statutory compensation, annexation and composition procedures should be modified.

## SUMMARY:

PTBA annexation provisions are clarified. When an area is annexed to a component city that is part of a PTBA, the annexed area is considered part of and subject to all taxes, liabilities and obligations of the PTBA. The city is to notify the PTBA when the area is added.

When an area that is part of a PTBA is annexed to a non-component city located outside the PTBA, the added area is no longer considered part of the PTBA. The non-component city is to notify the PTBA of its intent to annex.

When a PTBA authority assumes public transportation functions previously provided under an

Interlocal Cooperation Act, and there are citizen positions on the governing board of the transit system, these positions may be retained as positions on the PTBA.

Compensation for authority members is changed from that provided legislators to not more than \$44/day. Members are reimbursed for travel and lodging expenses incurred in conducting the authority's business at the same rate afforded state employees. Compensation is limited to 75 days for authority members and 100 days for the authority chairman. Compensation may not be paid to an elected official or employee of the federal, state or local government who is receiving regular full-time compensation from such government for attending meetings and performing prescribed duties of the authority.

The members of the county legislative authority and an elected representative of each city within the PTBA must review the composition of the governing board: (1) After a PTBA has been in existence for four years and each four years thereafter; and, (2) Within 90 days (a) after an area having a population of more than 15% of the PTBA population annexes to the PTBA or (b) when the cumulative annexations within the four-year review period result in a population increase greater than 25%. In both cases 20 days notice of the review must be given to the administrative officer of the PTBA, and a majority of the representatives present constitute a quorum.

The requirement that the PTBA authority be reconstituted within 60 days of the annexation of additional areas to the PTBA is repealed.

## VOTES ON FINAL PASSAGE:

House	94	3
Senate	46	0

EFFECTIVE: July 24, 1983

**SHB 539**

C 108 L 83

By Committee on Transportation (originally sponsored by Representatives Egger, Crane, Todd, Charnley, Lux, Allen, Broback, Patrick, Mitchell, G. Nelson, Fisher, Clayton, Gallagher, Martinis, Brekke, Wilson, Jacobsen, Braddock, Johnson and Powers)

Exempting nonprofit corporations providing transit services to the elderly and handicapped from motor vehicle fuel tax on fuel used for these purposes.

House Committee on Transportation

Senate Committee on Transportation

BACKGROUND:

Nonprofit organizations that provide transportation services solely for elderly and/or handicapped persons are required to pay the motor vehicle fuel tax on fuel purchased to provide these services.

SUMMARY:

Nonprofit organizations that provide transportation services solely to elderly and/or handicapped persons may receive refunds of motor vehicle fuel taxes on fuel purchases. Only those organizations that are certified by the Utilities and Transportation Commission as nonprofit transportation providers are eligible for refunds.

Fuel purchased by these organizations is also exempted from state and local sales/use taxes.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	45	1

EFFECTIVE: July 24, 1983

**SHB 540**

C 151 L 83

By Committee on Transportation (originally sponsored by Representatives Ebersole, Allen, Fisher, G. Nelson and Gallagher)

Permitting public transportation benefit areas to designate a person other than a county treasurer as the PTBA treasurer.

House Committee on Transportation

Senate Committee on Transportation

BACKGROUND:

Existing law provides that the treasurer for a single-county Public Transportation Benefit Area (PTBA) is the county treasurer, or in the case of a

multi-county PTBA, the treasurer of the largest component county. PTBA moneys are disbursed by the treasurer on warrants issued by the county auditor.

Some PTBAs would like the option of using the county treasurer or appointing their own treasurer.

SUMMARY:

In the case of a single-county PTBA the county treasurer is the ex officio treasurer for the PTBA. In the case of a multi-county PTBA the county treasurer from the largest component county, by population, is the treasurer. Some other person may be designated as the PTBA treasurer upon resolution of the PTBA authority and approval of the affected county treasurer. The designated treasurer has the same powers and duties of the county treasurer in investing Authority funds.

The Authority may require the county treasurer to obtain a surety bond with a company authorized to conduct business in the state. If the treasurer is other than the county treasurer, a surety bond is required. The bond premium is paid by the Authority.

Authority funds are deposited in a transportation fund established by the treasurer. The Authority, by resolution, may appoint someone other than the county auditor who shall have the same powers and duties as the county auditor in creating and maintaining PTBA funds, issuing warrants and recording receipts and disbursements. Special accounts within the transportation fund that are created by resolution of the authority are to be maintained by the treasurer.

If the treasurer is the county treasurer, all Authority funds are deposited with the county treasurer. If the treasurer is other than the county treasurer, the funds are deposited in bank(s) authorized to conduct business in the state that qualify for insured deposits under any federal deposit insurance act.

The Authority may require a reasonable bond of any other person handling the Authority's monies or securities; the bond premium is paid by the Authority.

VOTES ON FINAL PASSAGE:

House	85	3
Senate	38	4

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## SHB 540

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EFFECTIVE: July 24, 1983

### SHB 546

C 200 L 83

By Committee on Transportation (originally sponsored by Representatives McMullen, Schmidt, Vekich, Walk and Isaacson)

Regulating wheelchair conveyances.

House Committee on Transportation

Senate Committee on Transportation

#### BACKGROUND:

Some vehicles manufactured for transporting wheelchair-bound persons do not meet Washington's statutory requirement that all vehicles must have a service brake on each vehicle wheel. A vehicle that does not meet the service brake requirement cannot be licensed or driven upon a public highway.

Even if provision is made to modify the qualifications for vehicle licensing, a person cannot operate a vehicle on a public highway without a valid driver's license. Many wheelchair-bound persons are unable to drive a regular motor vehicle and therefore cannot qualify for a Washington State driver's license.

The Motor Vehicle Excise Tax is paid at the time of vehicle registration or renewal. The tax is 2.2% of the fair market value of the vehicle, as determined by the Department of Revenue. A motor vehicle that is specially equipped for a handicapped person is assessed in one of two ways:

- (1) If the equipment is added at the time of purchase and registration, the value of the special equipment is included in the assessed fair market value.
- (2) If the motor vehicle is purchased and registered without special equipment, and special equipment is added at a later date, this equipment is not included in the assessed fair market value.

#### SUMMARY:

"Wheelchair conveyance" is defined as a vehicle specially manufactured or designed for transporting a physically or medically impaired, wheelchair-bound person which is used in lieu of a wheelchair or to transport the impaired person while occupying the wheelchair. The vehicle is equipped with a propulsion device capable of propelling the vehicle at a speed range determined by the Commission on Equipment. The Commission on Equipment may approve and define as a wheelchair conveyance a vehicle that does not meet these specific criteria. The Commission on Equipment shall adopt rules for wheelchair conveyance standards. Violation of these standards is a traffic infraction.

Wheelchair conveyances that cannot comply with the statutory service brake requirement are subject to moped registration provisions. The vehicles are registered annually for an initial and renewal fee of \$3. The conveyances are not subject to the regular basic registration fee or the MVET; however, other applicable statutory fees apply: \$1 filing, transfer, titling fees.

Operators are subject to a special examination to determine ability to operate a conveyance properly and safely on a public road. A regular driver's license is issued with specific restrictions based on the operator's skill level. The operator's license may specify route, area, time, or other restrictions. The Department of Licensing shall adopt rules for periodic review of operator performance. Violation is a traffic infraction.

A wheelchair conveyance may not be operated on a road posted in excess of 35 MPH. Only a wheelchair-bound person can operate a wheelchair conveyance on a public road. The operator of a wheelchair conveyance is subject to the Rules of the Road. Violation is a traffic infraction.

Special equipment installed in a motor vehicle for the use of a handicapped person is excluded from the vehicle's assessed fair market value for Motor Vehicle Excise Tax purposes.

#### VOTES ON FINAL PASSAGE:

House	96	0
Senate	47	0

EFFECTIVE: May 16, 1983

**SHB 547**

C 66 L 83

By Committee on Financial Institutions & Insurance  
(originally sponsored by Representatives Lux  
and Sanders)

Modifying provisions relating to public depositories.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

Current law allows public funds to be deposited in commercial banks, trust companies, savings and loan associations, and mutual savings banks. Commercial banks and trust companies can receive public deposits up to 10 percent of their capital, surplus and undivided profits. Thrift institutions (savings and loan associations and mutual savings banks) can receive public deposits up to the amount insured by FSLIC (\$100,000).

Commercial banks must protect public funds by maintaining segregated collateral equal to 10 percent of public funds on deposit. The Washington Public Deposit Protection Commission is responsible for regulating and monitoring compliance with the requirements of public deposit collateralization.

**SUMMARY:**

The law governing the investment of public funds is amended to permit savings and loan associations and mutual savings banks to qualify as depositories for public funds. Changes are made to accommodate the distinctions between commercial banks' and thrift institutions' accounting practices. Thrift institutions are permitted to use direct and general obligations of the Federal Home Loan Bank Board as collateral to secure public funds. New procedures are adopted to prevent and handle thrift institution losses which jeopardize public funds. The procedures closely parallel those applicable to commercial banks. Clarifying and conforming amendments are made to all other relevant statutes.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	44	0

EFFECTIVE: July 24, 1983

**SHB 548**

C 292 L 83

By Committee on Local Government (originally  
sponsored by Representatives Ballard and  
Miller)

Modifying provisions relating to water supply  
operations.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

A law was enacted in 1977 requiring the examination and certification of "persons responsible for the supervision and operation of" public water systems. The Department of Social and Health Services (DSHS) manages this program. A similar program exists to examine and certify persons who are responsible for the supervision and operation of waste treatment plants.

**SUMMARY:**

The state program for certifying persons working with public water systems is altered as follows:

- (1) Only persons engaged in technical operations are to be certified.
- (2) The individual utilities shall designate which positions should be certified.
- (3) The Board of Examiners for wastewater operator certification is expanded by two persons, one of whom is a water district commissioner and one of whom is a sewer district commissioner.
- (4) Water system operators who were "grandfathered" into certification, may work on any water system of the same class as the one on which they were working when "grandfathered."
- (5) A certificate can only be revoked for a violation of requirements which is intentional.

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**SHB 548**

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- (6) Each month, instead of each day of operating a water system without a certified operator, shall be a violation of the act.

**VOTES ON FINAL PASSAGE:**

House 93 0  
Senate 44 4

EFFECTIVE: July 24, 1983

**HB 555**

C 293 L 83

By Representatives Locke, Padden, Smitherman, Belcher, Allen, Fisher, Brough, Lux, Miller, Brekke, Niemi, Egger, Burns, Dellwo, Monohon, Powers, Wang, Charnley, and Jacobsen.

Revising provisions relating to discrimination.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

The Law Against Discrimination prohibits certain "unfair practices." Unfair practices include discrimination on the basis of the following factors: "race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical handicap." Unfair practices are prohibited with respect to employment, credit, insurance, public accommodations or amusements, and real property transactions. The Human Rights Commission is empowered to receive and investigate complaints of unfair practices. The Commission is also authorized to attempt to eliminate an unfair practice through conciliation and persuasion. If those attempts are unsuccessful, the Commission may direct an administrative law judge to conduct a hearing. The judge may issue orders directing an offending party to cease an unfair practice or to take some affirmative action such as hiring, reinstating or upgrading employees. In addition, with respect to unfair practices involving real estate, the Commission may award up to \$1,000 to the complainant. Decisions of an administrative law judge are appealable to superior court.

Current state law prohibits employers from discriminating against an individual between the

ages of 40 and 65. An employer may not, for example, refuse to hire or promote a person because he or she is between the ages of 40 and 65. In contrast, federal law protects against employment discrimination for persons between the ages of 40 and 70.

A recent court decision has indicated the Law Against Discrimination does not authorize the awarding of damages for "humiliation and mental suffering."

**SUMMARY:**

The actions which an administrative law judge may take after a hearing are expanded. The judge may order equitable remedies and compensation to a victim for actual damages caused by unfair practice.

The amount of damages that an administrative law judge may award for humiliation and mental suffering caused by an unfair practice is limited to \$1,000. That limitation does not apply to awards made by a court.

Outdated references to the "board" (against discrimination) are changed to the (human rights) "commission."

Workers are protected against employment discrimination between the ages of 40 and 70 in conformity with federal law.

**VOTES ON FINAL PASSAGE:**

House 97 0  
Senate 29 19 (Senate amended)  
House 97 0 (House concurred)

EFFECTIVE: July 24, 1983

**HB 569**

C 294 L 83

By Representatives Fisher, Fisch, Tanner, Miller, Jacobsen, Smitherman, Zellinsky and Powers

Prescribing duties of county auditors or elections official handling public disclosure reports.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

**BACKGROUND:**

The public disclosure statutes require political committees and candidates to file certain reports with both the Public Disclosure Commission and the county elections official.

**SUMMARY:**

The Public Disclosure Commission shall adopt rules regarding the arrangement, handling, indexing and disclosing by county elections officials of reports filed with them under the public disclosure statutes. The county elections officials shall ensure that the reports are handled in a manner consistent with those rules.

Rule Making Authority: The bill delegates new rule-making authority to the Public Disclosure Commission.

**VOTES ON FINAL PASSAGE:**

House	84	0
Senate	39	0

**EFFECTIVE:** July 24, 1983

**HB 570**

C 34 L 83 E1

By Representatives Kaiser, Smith, Egger, Nealey, Todd, Fiske, McMullen, Tilly, Belcher, Tanner, Braddock, Ellis, Smitherman, Halsan, Ballard, Miller and Isaacson

Maintaining a vocational agricultural education program.

House Committee on Agriculture

Senate Committee on Agriculture

**BACKGROUND:**

An agricultural education unit presently is part of the vocational education development office within the Office of the Superintendent of Public Instruction. It is not statutorily established. The unit provides technical and curriculum assistance to school districts and administers youth leadership

programs. An advisory committee composed of agricultural and educational representatives assists the unit.

**SUMMARY:**

A Vocational Agriculture Education Service Area is established within the Office of the Superintendent of Public Instruction. Adequate staffing is to be provided for the Service Area.

The Service Area is to assess needs, assist in establishing local programs, review proposed local programs and evaluate existing ones, and plan certain research and studies. Standards developed for accomplishing these tasks shall satisfy federal mandates.

Also, the Service Area is to develop in-service programs for teachers and administrators; review applications for certification of vocational agriculture teachers; assist in recruitment and placement of agricultural teachers; promote improvement in programs; assist in developing adult and continuing education programs; serve as a liaison with certain agencies and organizations; and establish an advisory task force committee which will make annual recommendations.

The Superintendent is to adopt implementing rules.

Agency or Committee Created/Eliminated A vocational agricultural education unit is created within the Office of the Superintendent of Public Instruction and the unit is directed to establish an advisory committee.

Rule Making Authority: The bill grants new rule making authority to the Superintendent of Public Instruction.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	78	16
Senate	42	5 (Senate amended)
<u>First Special Session</u>		
House	79	15
Senate	43	1 (Senate amended)
House	64	19 (House concurred)

**EFFECTIVE:** August 23, 1983

**SHB 576**

C 295 L 83

By Committee on State Government (originally sponsored by Representatives Kaiser, Gallagher, Mitchell, Lewis, Lux, Johnson, Hine, Vekich, Crane, Struthers, Schmidt, Tilly, Miller, Ebersole and Isaacson)

Revising the laws regulating the veterans' relief fund.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Washington State law contains provisions for certain kinds of relief for indigent veterans, families of veterans, and families of deceased veterans who have served in the United States armed forces during such wars as the Civil War, the War of Mexico, the Indian wars in the United States, the Spanish American War, the Philippine Insurrection, World War I and World War II. The relief is administered at the county level in conjunction with local, nationally chartered veterans organizations.

Counties are authorized to levy property taxes of not less than 1-1/8 cents per \$1,000 of assessed value and not more than 27 cents per \$1,000 to be placed in a veterans relief fund. The county board of commissioners is to provide financial assistance to veterans from this fund upon the recommendation of the relief committee of the local post, camp or chapter or any nationally chartered veteran's organization. Those eligible for assistance must have been residents of the state for at least twelve months. Commanders, quartermasters and adjutants may be required to post bond to guarantee the honest discharge of their duties.

Honorably discharged veterans, their wives, husbands, minor children, widows and widowers who die without leaving sufficient funds to defray funeral expenses are to be interred at the expense of the county. Such costs are not to exceed \$180 and are to be made at the request of the commanding officer or the relief committee.

County commissioners are prohibited from sending indigent veterans or their families or families of deceased veterans to almshouses or orphan asylums without the consent of the commander

and relief committee of local post, camp or chapter of a nationally chartered veteran's organization.

**SUMMARY:**

The veteran's relief law is updated to include veterans who served in the armed forces during World War I, World War II, Korea, Vietnam and future wars and received an honorable discharge, discharge for physical reasons, were released for reasons other than undesirable, bad conduct, or dishonorable discharge.

Disabled veterans or their families are added to the list of individuals who cannot be sent to almshouses or orphan asylums without the consent of the commander and relief committee. In addition, \$300 is added to the amount of money that can be spent on interment of veterans, their wives, husbands, minor children, widows or widowers who die without leaving sufficient funds to cover the costs of interment.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	48	0

**EFFECTIVE:** July 24, 1983

**SHB 579**

C 296 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Tanner, Patrick, Egger, Allen, Powers, Barrett, Smitherman, J. King, Monohon, Braddock, Broback, Brekke, Van Dyken, Miller, Brough, Haugen, Long and Holland)

Studying the feasibility of establishing prison work programs to operate automated data input and retrieval systems for departments of state government.

House Committee on Social & Health Services

Senate Committee on Institutions

**BACKGROUND:**

Idleness in state correctional facilities is a major problem with our state's prison system. Most prison industries produce products such as license plates

and furniture. There are limited opportunities to use these skills upon release from prison.

**SUMMARY:**

The Department of General Administration and the Department of Social and Health Services are required to implement prison work programs which operate automated data input and retrieval systems for departments of state government. Certain institutional industries may subcontract their data input and microfilm capacities to private sector firms. Inmates employed under these subcontracts will be paid according to the existing institutional industries wage scale. The department of general administration and the data processing authority must report biennially to the legislature on the use of institutional industries to perform the state's data entry and microfilm work. The report must also cover the comparative costs of providing these services.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	45	1 (Senate amended)
House	95	2 (House concurred)

**EFFECTIVE:** July 24, 1983

**HB 585**

C 297 L 83

By Representatives McClure, Haugen, B. Williams, Monohon, Vekich, Martinis, Fisch, and D. Nelson.

Revising provisions relating to salmon delivery permits.

House Committee on Natural Resources

Senate Committee on Natural Resources

**BACKGROUND:**

Fishing license and delivery permits are tools used to regulate the commercial fishing industry. To commercially fish in State waters requires a license. To land fish caught outside of Washington waters (beyond the 3 mile limit) in Washington requires either a fishing license or a delivery permit.

When the Legislature limited entry to commercial salmon fishing in 1974 by restricting the issuance of new licenses and permits, it created a delivery permit for a single landing of salmon. This allows salmon taken in offshore waters to be landed by vessels not otherwise qualified for a license or permit under the license moratorium. A separate permit is required for each delivery. The fee is \$100. Only 5 permits were issued in 1980 and 3 in 1981. In 1982, 30 permits were issued. In effect, the permits allow out-of-state trollers not licensed by the State, to fish off Washington's coast when their home-state seasons are closed, and land their salmon in Washington ports. A total prohibition of these permits could result in wastage of fish.

**SUMMARY:**

Single salmon delivery permits can only be issued if the Director of Fisheries or his designee determines that an emergency exists.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	46	0 (Senate amended)
House	96	0 (House concurred)

**EFFECTIVE:** July 24, 1983

**HB 588**

C 63 L 83 E1

By Representatives Zellinsky, Smitherman, Egger, Schmidt, Isaacson, Hankins, McClure, Fisch, Miller, Vekich, Sayan, Powers, and Holland

Providing funds for jail improvement and construction during the 1981-83 biennium.

House Committee on Ways & Means

**BACKGROUND:**

Legislative policy established in 1977 declared that all city and county jails provide a humane and safe environment (City and County Jails Act). The legislature then authorized the issue of \$106.0 million in general obligation bonds in 1979 and an additional \$130.5 million in 1981 to finance the improvements defined in the "Act".



**SUMMARY:**

Additional funding for local jail improvements and construction is provided. Declares an emergency and takes effect immediately.

The 1981 bond authorization limit for bonds issued for jail facility construction and improvement is increased from \$130.5 million to \$144.3 million.

Impacts the state 7 percent debt limit.

\$3.8 million is provided to construct an additional floor at the Spokane County jail. This additional cell space will house state prisoners under an agreement between the county and the Department of Corrections.

Provides reappropriation authority from the local Jail Improvement and Construction Account to the Corrections Standards Board (The successor agency to the Jail Commission) for funds unexpended during fiscal year 1983 and carried forward into the 1983-85 biennium.

Appropriation: Appropriates \$10.0 million from the Local Jail Improvement and Construction Account to the Jail Commission for support of local jail construction and improvement projects during the 1981-83 biennium. Appropriates \$3.8 million from the Local Jail Improvement and Construction Account to the Jail Commission for constructing an additional floor for the Spokane County Jail.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
House	92	2	
Senate	44	4	(Senate amended)
House	95	1	(House concurred)

EFFECTIVE: June 13, 1983

**HB 595**

C 18 L 83 E1

By Representatives Ellis, Lewis, Dickie, Clayton, Smith, Chandler, Kaiser and Grimm

Establishing the East Selah reregulating reservoir project.

House Committee on Agriculture and Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

Water short years in the Yakima Valley in the 1970's and the potential exercising of federally held claims to water have raised concern that the limited water supplies in the basin would be inadequate to meet future needs. As a result, Congress and the state have funded the study of water supply problems and potential in the Valley. The study is known as the "Yakima River Basin Water Enhancement Project". Phase 1 of the study includes a recommendation for the construction of a "reregulation" dam near the town of Selah.

Referendum 38, adopted by the voters in 1980, authorizes the issuance of \$125 million in general obligation bonds for water supply facilities. Of this amount, \$50 million is to be dedicated to facilities for agricultural use alone or in combination with fishery, recreational, or other beneficial uses of water. The amount of this \$50 million portion remaining uncommitted at the end of the current biennium is \$31.9 million.

**SUMMARY:**

The Department of Ecology is authorized to acquire land and to construct a "reregulating" reservoir near Selah, Washington. The department may not begin this process until the U. S. Department of the Interior formally agrees that, upon completion of the reservoir, the Department of Interior will operate and maintain the reservoir, and the state will have no further monetary obligations. The Department may not enter into this agreement until federal legislation is enacted which will credit the state for the value of the reservoir if any matching funds are later required for the Yakima Enhancement Study related projects.

\$14.5 million of the Referendum 38 monies is appropriated to the Department of Ecology for the "reregulation" dam project and related expenses.

Appropriation: \$14.5 million (Referendum 38)

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>		
House	96	0
Senate	37	10

EFFECTIVE: August 23, 1983

**SHB 605**

C 1 L 83 E2

By Committee on Ways & Means (Originally sponsored by Representatives O'Brien, Sommers, Betrozoff and Miller)

Revising provisions relating to the state convention and trade center.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

During the 1982 regular session, the Legislature authorized the construction of a state convention and trade center. A nonprofit corporation, known as the Washington state convention and trade center corporation, is vested with authority to construct and operate the center. Ninety-nine million dollars in state general obligation bonds were authorized to finance the convention center construction. Payment of principal and interest on the bonds will be made from general fund revenues. The general fund is to be reimbursed from the state convention and trade center account.

**SUMMARY:**

The authorized uses of the state convention center bond funds are expanded so that the funds can also be used to: (1) capitalize all or a portion of interest during construction; (2) provide for expansion; (3) provide for renovation; (4) provide for contingency costs; and, (5) reimburse the general fund for expenditures in support of the project.

The convention center corporation is exempted from the law regulating the obtaining of insurance in respect to the construction of a public building.

The finance committee is authorized to make any necessary bond covenants.

The convention center corporation is authorized to create subaccounts to the state convention and trade center account.

The designation for the pool of monies for expansion and renovation (up to \$50 million) is changed from sinking fund to subaccount.

The purposes for which money in the convention and trade center account may be spent are prioritized. Neither bond proceeds nor the income from investment of bond proceeds may be spent: (1) for

the operation of the center; or (2) to reduce or eliminate the excise tax which the state has pledged to continue until the bonds are paid.

Unexpended bond proceeds (\$93,760,000) are reappropriated from the state convention and trade center account and provided to the convention and trade center corporation for the purpose of carrying out the law authorizing the construction of the center. \$2,024,360 is appropriated from the state convention and trade center account for operational costs.

Appropriation: \$93,760,000 is reappropriated; \$2,024,360 is appropriated

**VOTES ON FINAL PASSAGE:**First Special Session

House	73	23
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Second Special Session

House	75	17
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Senate	29	12	(Senate amended)
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House	75	16	(House concurred)
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EFFECTIVE: June 13, 1983

**SHB 620**FULL VETO

By Committee on Financial Institutions & Insurance (Originally sponsored by Representatives Lux, Belcher and Kreidler; by State Employees Insurance Board request)

Permitting the state employees' insurance fund to self-fund its insurance programs.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

**BACKGROUND:**

Under existing law, the State Employees' Insurance Board is not authorized to self-insure any of its insurance programs. Rather, all programs must be put out to bid and then be contracted for.

**SUMMARY:**

The State Employees' Insurance Board is authorized to self-insure any or all portions of the insurance programs under its jurisdiction except

property and casualty insurance. The Board may pay claims directly or contract for their payment. Should a program be self-insured, the Board must establish reserves for the payment of claims in the amount normally required for the kind of insurance self-insured. Reserves will be held in a special fund by the State Treasurer, referred to as the State Employees' Insurance Reserve Fund. The State Investment Board will act as the investor for the funds, and all of the earnings from these investments shall accrue directly to the State Employees' Insurance Reserve Fund.

The Insurance Commissioner shall examine any self-insurance program created by the State Employees' Insurance Board, and the Board must file an annual report for such programs.

The Insurance Commissioner is granted authority to examine a Board self-insurance fund. Reporting and accounting requirements are imposed on the Board for self-insurance programs. The Board must file a copy of its annual statement with the legislature. The members of the Board must adhere to fiduciary standards in discharging their duties and no member may participate in any decision to contract for the administration of a self-insurance program where a breach of the appearance of fairness doctrine would occur.

**VOTES ON FINAL PASSAGE:**

House 58 40  
Senate 26 23

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

**HB 643**

C 201 L 83

By Representatives Locke, Schmidt, Armstrong, and Dellwo

Modifying the time limitation for filing insurance claims against a deceased person.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

The Probate Code generally allows only a four month period during which claims that are not

already cut off by statutes of limitation may be filed against the estate of a deceased person. This four month period begins with the first publication of notice of the appointment of a personal representative of the estate. An 18 month period is allowed, however, in the case of claims against the deceased person or the deceased person's marital community involving liability or casualty insurance coverage.

**SUMMARY:**

Claims against the estate of a deceased person that involve liability or casualty insurance coverage are exempted from any special time limitation following the appointment of a personal representative. Such claims remain subject to the normal statutes of limitation for bringing various kinds of actions.

This change in the law applies only to causes of action arising after its effective date.

**VOTES ON FINAL PASSAGE:**

House 95 0  
Senate 28 20 (Senate amended)  
House 77 19 (House concurred)

**EFFECTIVE: July 24, 1983**

**SHB 646**

**PARTIAL VETO**

C 234 L 83

By Committee on Commerce & Economic Development (Originally sponsored by Representatives Heck, G. Nelson, Tanner and Tilly)

Creating the public accountancy act of 1983

House Committee on Commerce & Economic Development

Senate Committee on Commerce & Labor

**BACKGROUND:**

The Accountancy Act provides for the licensing of three kinds of accountants: certified public accountants (C.P.A.'s); licensed public accountants (L.P.A.'s); and public accountants (P.A.'s). Except for individuals "grandfathered in", the law no longer permits the licensing of any accountants other than certified public accountants.

Administration of the Accountancy Act is vested in the board of accountancy. The board consists of five members, each of whom is licensed under the Act. While the board is independent, it does rely on the Department of Licensing for some support services.

The Act contains provisions designed to prevent the "unauthorized practice" of accountancy. These provisions would appear to prohibit any person not licensed under the act from holding himself out as an "accountant".

Permits to practice public accounting are issued annually.

The Board is scheduled for "sunset termination" on June 30, 1984.

**SUMMARY:**

The board of accountancy is abolished and licensing powers are vested in a new board consisting of four C.P.A.'s and one member of the public. The new board is to assume its duties on July 1, 1983.

Persons other than C.P.A.'s are to refrain from using the words "audit", "review", and "compilation" when designating financial reports. The prohibition against any unlicensed person holding himself out as an "accountant" is eliminated. Accountants who are not licensed C.P.A.'s cannot issue any written statement which expresses an opinion on a financial statement that has been "audited" or "reviewed" by a C.P.A.

Permits to practice public accounting are to be issued biennially.

Registered L.P.A.'s are entitled to continue practicing and to refer to themselves as C.P.A.'s.

The new Board is scheduled for "sunset termination" on June 30, 1986.

Agency or Committee Created/Eliminated The current Board of Accountancy is eliminated and a new Board on July 1, 1983 will replace the existing Board.

Rule Making Authority: The bill delegates new rule making authority to the Board of Accountancy.

Termination Date: The Board of Accountancy is subject to the Sunset review procedure and will cease to exist on June 30, 1986 unless extended by law.

**VOTES ON FINAL PASSAGE:**

House	89	0	
Senate	46	1	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: July 1, 1983

**PARTIAL VETO SUMMARY:**

The governor vetoed the following bill portions: Subsection (8) of Section 12 which would allow disciplinary action against a C.P.A. who makes comments disparaging to the profession; a sentence in Section 14(7) requiring the board to prepare a stenographic record and transcript of its disciplinary hearings; and Section 14(8) which would allow the board to retain a lawyer who is not an assistant attorney general to represent it in disciplinary hearings.

**HB 653**

C 298 L 83

By Representatives Braddock and McMullen

Revising provisions relating to livestock markets.

House Committee on Agriculture

Senate Committee on Agriculture

**BACKGROUND:**

State law regarding livestock sales requires the operator of a public livestock market to be licensed. A bond in an amount of not less than \$10,000 is required and is based upon the dollar volume of business conducted at the market. Exempted from the licensing requirement are: farmers selling their own livestock on their own premises; and certain sales by farmer cooperative associations and livestock breeder associations. Special permits may be issued for a producer's sale of purebred livestock on premises other than those of the producer. Certain requirements are established for sanitation and the prevention of livestock diseases at public markets and for weighing and other facilities.

**SUMMARY:**

Special open consignment horse sales, operated by persons other than those who operate public livestock markets, are authorized. Such a sale is

limited to the consignment of horses and donkeys for sale occasionally or seasonally. To operate such a sale, a person must obtain a license from the Director of Agriculture. The license is valid only for the specific date or dates and location for which it is issued. An application for a license must be accompanied by a fee of \$100. A bond is required and shall be in an amount based upon the dollar volume of business but shall not be less than \$10,000.

The minimum daily fee to be paid for brand inspections at a public livestock market, or at the special sales, is raised to \$60 from \$40. However, the Director may prescribe a lesser minimum. Various laws applicable to public livestock markets are applied to these special sales as well. Those regarding license renewal, maintenance of approved weighing facilities, and sanitation and facilities regulations are not applied to such special sales.

Revenue: A new license fee is imposed on operators of special open consignment horse sales at a rate of \$100. Administrative provisions regarding minimum brand fees to be collected on a daily basis are modified.

Rule Making Authority: The bill delegates new rule-making authority to the Director of Agriculture.

VOTES ON FINAL PASSAGE:

House 95 0  
Senate 46 1

EFFECTIVE: July 24, 1983

**SHB 661**

C 299 L 83

By Committee on Natural Resources (originally sponsored by Representatives Halsan and Schmidt)

Modifying provisions on forest protection.

House Committee on Natural Resources

Senate Committee on Natural Resources

BACKGROUND:

Forest landowners who fail to provide adequate fire protection are charged annual assessments based on forest land acreage. The forest patrol assessment is 21 cents/acre on the west side and 17 cents/acre on the east side of the state. The minimum assessment for parcels of less than 30 acres is \$6.30/parcel on the west side and \$5.10/parcel on the east side of the state.

If a landowner owns more than one parcel in a county, the total acreage of which is less than 30 acres, only one minimum parcel charge is required. To get the single charge, the landowner must first apply to the Department of Natural Resources.

In addition, an assessment for forest fire suppression is applied to all forest landowners to pay for emergency fire costs of the Department. The assessment is charged only until a \$2 million fund balance is reached. The assessment for parcels of less than 30 acres cannot exceed the assessment for a 30 acre parcel. The current small acreage assessment on owners of multiple small parcels is burdensome on county assessors who are responsible for billing forest landowners.

SUMMARY:

The "forest patrol" assessment is renamed the "forest fire protection" assessment.

Privately owned forest land parcels of less than 2 acres are exempt from both forest fire protection and fire suppression assessments. Tax exempt parcels of less than 10 acres are also exempt.

Forest landowners with more than one parcel in a county, if the parcels total less than 30 acres, are required to pay the minimum charge per parcel and may receive a refund of forest protection assessments paid on the additional parcels by applying directly to the Department of Natural Resources. If combined acreage totals more than 30 acres, the per acre charge is applied. Refunds may be applied for by mail.

VOTES ON FINAL PASSAGE:

House 95 0  
Senate 39 0

EFFECTIVE: July 24, 1983

## SHB 667

C 202 L 83

By Committee on Financial Institutions and Insurance (Originally sponsored by Representative Lux)

Modifying provisions on health service contractors and health maintenance organizations.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

## BACKGROUND:

Agents of a health care service contractor (HCSC) are required to be licensed under health care services statutes if they are not licensed as disability insurance brokers or agents. No separate requirement exists for licensing of agents of a health maintenance organization (HMO).

An HCSC must be registered. An HCSC which fails to file an annual report on time must pay a fine. If it fails to do so for 30 days, the insurance commissioner may terminate its authority to do business. The insurance commissioner may impose a fine, or suspend or revoke the registration of an HCSC or agent for violation of the law. An HMO must be registered under HCSC statutes, and must file an annual statement. An HMO is subject to enforcement proceedings by the commissioner.

An HMO may not use its name or advertise in a manner which results in it being identified as an insurance or surety corporation doing business in Washington. An HCSC may not engage in misleading representation or advertising.

Health care service plan contracts which provide coverage for dependent children of an insured must cover newborn infants from the moment of birth. This requirement also applies to an HMO agreement.

A new HCSC subscriber is entitled to a ten-day "free look" to decide whether to enter or reject the agreement. This "free look" requirement applies to a HMO.

There are no statutory restrictions on the compensation of the persons controlling an HMO or HCSC.

The state law relating to "coordination of benefits" prohibits the State Employees Insurance Board from requiring state employees always to pay a certain portion of their claims as "deductibles."

## SUMMARY:

Agents of HMO's and HCSC's are to be licensed and regulated in the same manner and under the same chapter as disability insurance agents. The commissioner's authority is accordingly altered.

The commissioner's discretion in choice of penalties (fines, revocation or license or certificate, etc.) for violation of applicable chapter by HMO, HCSC, or agents is broadened.

An HMO may not advertise or have a name which leads it to be confused with an HCSC or another HMO.

If a HCSC contract or HMO agreement requires payment of an additional premium to provide coverage of newborns, then a minimum period of 60 days is required for notice to the insurer and payment of the premium.

A new subscriber to a HMO agreement has a ten-day "free look" to decide whether to enter or return the agreement. If a premium refund is not made within 30 days, ten percent penalty is added.

Sources of remuneration available to controlling persons of an HMO or HCSC are limited. The insurance commissioner can make exceptions.

Deductibles in any health or disability contracts, agreements or policies negotiated by the state employees insurance board, or in any non-SEIB plan, policy or contract which affects a SEIB health plan, are exempt from statutory coordination of benefits requirements.

Rule Making Authority: This bill delegates new rule-making authority to the Insurance Commissioner.

## VOTES ON FINAL PASSAGE:

House	97	0	
Senate	41	1	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 24, 1983

**HB 674**

C 300 L 83

By Representatives Sutherland, Tanner, J. King, B. Williams, Ristuben, and Heck.

Prohibiting sturgeon fishing with a set line in the Columbia River or its tributaries.

House Committee on Natural Resources

Senate Committee on Natural Resources

**BACKGROUND:**

Fisheries in the concurrent waters of the Columbia River are jointly regulated by the states of Oregon and Washington through the Columbia River Compact. Time, area, gear restrictions, and size limitations are established by agreement between the two states.

Recent Columbia River sturgeon landings by both commercial and sport fisheries have increased significantly over landings made in the early 1970's. The commercial set line fishery has grown dramatically; in 1975, 35 licenses were issued, increasing to 118 in 1982.

Two significant problems in the Columbia River sturgeon fishery have been identified:

1. Set lines catch under-sized and over-sized sturgeon; significant fish mortality occurs as a result of the nature of the gear and the fact that gear may go untended for extended time periods.
2. Enforcement problems have developed with sport-caught fish entering commercial channels and commercially caught fish being retained for personal use.

The current commercial license fee is \$35/year. There is no sport license required.

**SUMMARY:**

The Director of the Department of Fisheries is directed to pursue elimination of the set line sturgeon fishery in the Columbia River through the Interstate Compact with Oregon.

Beginning on January 1, 1984, commercial set line licensees fishing for sturgeon on the Columbia River are required to obtain a Columbia River sturgeon license endorsement. The fee for the endorsement is \$200 for residents and \$400 for nonresidents. The endorsement fee should limit the

commercial fishery to only those persons seriously interested in commercial fishing.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	40	8 (Senate amended)
House	96	1 (House concurred)

**EFFECTIVE:** January 1, 1984

**HB 683**

C 301 L 83

By Representatives Vekich, Patrick, Monohon, Sayan, Fisher, Fisch, McMullen and Tanner

Providing for interest on workers compensation awards, if appealed.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

Decisions by the Department of Labor and Industries regarding workers' compensation awards may be appealed to the Board of Industrial Insurance Appeals. The Board's decision may in turn be appealed to superior court. If the worker prevails in superior court, and further appeals are taken to higher courts, interest is paid on the award from the date of the superior court's judgment (if the award is upheld). No interest accrues before the date of the superior court's judgment.

**SUMMARY:**

If a worker or beneficiary prevails in any appeal by an employer before the Board of Industrial Insurance Appeals or the superior court, interest on the award will accrue from the date of the original decision by the Department of Labor and Industries. This interest will be paid at the rate of twelve percent per annum.

Similarly, when a worker appeals a decision of the Department or the Board regarding a claim for temporary total disability, interest on the award will accrue from the date of the original decision by the Department -- again at the rate of twelve percent per annum.

## VOTES ON FINAL PASSAGE:

House	98	0
Senate	47	0 (Senate amended)
House	95	0 (House concurred)

EFFECTIVE: July 24, 1983

**2SHB 693**

C 64 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives D. Nelson, Allen, Miller, Charnley, Rust, Burns, Jacobsen, Kreidler, Appelwick, Brekke and Hine)

Permitting excess moneys in the institutional long-term loan fund to be used for locally administered financial aid programs.

House Committee on Higher Education and Ways & Means

## BACKGROUND:

In 1981, when the legislature substantially increased tuition and fee rates for higher education, a Long-Term Student Loan Fund was created to aid students who were unable to obtain financial assistance from private lending institutions. The loan fund is funded from deposits equal to 2.5 percent of tuition and fees.

In the 1981-83 biennium, no loans were made from the fund because private lending institutions were able to meet all of the requests by students at reasonable interest rates. Since students did not participate during fiscal year 1981-82 and higher education was faced with state General Fund reductions, the legislature, in 1982, authorized institutions of higher education to transfer \$3,540,000 of the Student Loan Fund (FY 1982 deposits) to local general funds for general operating purposes. No money in the Fund was used in fiscal 1983 either. Therefore, the balance in the Fund on June 30, 1983 is estimated to be \$3,215,452.

It is predicted that private lending institutions will continue to meet the loan demands of prospective students, thus negating the need for institutional loan funds during the 83-85 biennium. Students

want to expand the use of the Fund to include additional financial aid programs such as work study, need grants, and tuition waivers.

The Office of Financial Management (OFM) estimates that receipts in the 83-85 biennium will exceed \$7,700,000. OFM has requested that \$7,000,000 be transferred from the institutions' loan funds to their respective non-dedicated local general funds. If the \$7,000,000 is transferred, about \$4,000,000 will be available in the fund for student financial aid programs.

## SUMMARY:

Before making a guaranteed loan from the institutional loan fund, each institution of higher learning must analyze the applicant's ability to repay the loan. The institution must also counsel the applicant on the advisability of acquiring additional debt and on the availability of other forms of financial aid.

Any moneys in the institutional long-term loan fund which are not used to make loans shall be used for locally-administered financial aid programs. A priority in the use of these funds shall be given to needy students who have accumulated excessive educational loan burdens. The funds shall be in addition to institutional moneys which would normally be used to support these local programs. \$7,000,000 is transferred from the institution's loan funds to their respective nondedicated local general funds.

Before making guaranteed loans, each institution must analyze the applicant's ability to repay the loan and must counsel the student on the advisability of acquiring an additional debt burden. The institution must also counsel the student on the availability of other forms of financial aid. Priority in the use of the institutional loan fund's financial aid programs shall be given to needy students who have accumulated excessive educational loan burdens.

## VOTES ON FINAL PASSAGE:

<u>First Special Session</u>	
House	61 35
Senate	43 1

EFFECTIVE: August 23, 1983  
June 30, 1983 (Sections 2 and 3)



**SHB 712**

C 65 L 83 E1

By Committee on Ways & Means (Originally sponsored by Representatives Wang, Grimm, Kaiser, Ellis, J. King, Garrett, Lux, Rust, B. Williams, Fisher, Isaacson and Charnley)

Providing for the funding of a hazardous waste program.

House Committee on Ways & Means

Senate Committee on Parks & Ecology

**BACKGROUND:**

Contamination of water and land by hazardous waste has raised concern that regulation of hazardous waste has been inadequate. Congress has recently provided programs to help states deal with hazardous waste problems. In order to take advantage of the federal programs and to provide proper regulation, changes in the state's hazardous waste program is necessary.

**SUMMARY:**

An annual fee is charged to certain business categories that produce hazardous waste. A business is not liable for the fee if it does not generate hazardous waste. The fee is graduated based on annual gross income, the quantity of hazardous waste generated, and the health and environmental risks associated with the waste. A maximum fee of \$7,500 is established. The fee shall be adjusted according to changes in the consumer price index.

A permit fee is established for businesses that treat, store or dispose of hazardous wastes. The fee is graduated by class of facility. Facility class is determined by size, type and risk of detrimental impacts associated with the facility. Those classes presenting a greater risk will have a higher fee. A maximum fee of \$7,500 is established. The fee shall be adjusted according to changes in the consumer price index.

All fees are deposited into a new account, the hazardous waste control and elimination account in the general fund.

An appeal mechanism is established whereby any person may appeal any annual gross income to the Board of Tax Appeals and questions of

determinations of the Department of Ecology to the Pollution Control Hearings Board.

Past due fees shall bear interest of nine percent (9%) annually. The Department of Ecology may levy civil penalties of up to \$500 for each day the fee and interest payment is due.

\$1,464,000 is appropriated to the Department of Ecology from the hazardous waste control and elimination account to administer the hazardous waste program.

\$59,806 is appropriated to the Department of Revenue from the hazardous waste control and elimination account to administer the collection of fees.

\$4,300,000 is appropriated to the Department of Ecology from the state general fund to clean up hazardous waste sites and to match the federal Comprehensive Environmental Response Compensation and Liability Act of 1980 ("Super fund").

Appropriation: \$1,464,000 to the Department of Ecology - \$59,806 to the Department of Revenue.

Revenue: A new fee based on gross income, is imposed on business categories that produce hazardous waste. A fee is imposed on those who treat, store or ship hazardous waste.

General fund expenditures are to be reimbursed from fee income to the extent that fee income exceeds program expenditures.

Rule Making Authority: Department of Ecology

**VOTES ON FINAL PASSAGE:**

First Special Session

House	74	20	
Senate	45	2	(Senate amended)
House	92	4	(House concurred)

**EFFECTIVE:** July 1, 1983  
June 13, 1983 (Sections 3(2) and 4(1))

**SHB 719**

C 109 L 83

By Committee on Education (Originally sponsored by Representatives Galloway, Armstrong, Betrozoff and Miller)

Establishing procedures before closing a school for instructional purposes.

House Committee on Education

Senate Committee on Education

**BACKGROUND:**

School districts are required under the State Environmental Policy Act to prepare environmental impact statements (EIS) before constructing new school facilities. However, current law is not clear on whether school districts must prepare an EIS before closing schools.

**SUMMARY:**

A school district is exempt from preparing an environmental impact statement for a plan, program or decision for the closure of a school or schools, or for the school closure portion of any broader policy, plan or program.

Before closing any school for instructional purposes, a school district board of directors must adopt a policy regarding closures.

The policy must 1) Provide for citizen involvement before the school board considers any school closure; 2) Provide for development of a written summary which analyzes the effects of the proposed school closure; 3) Require the school board to conduct public hearings to receive testimony during the 90 days before the board makes a final decision on any proposed school closure; 4) Require that separate hearings are to be held for each proposed school closure; and 5) Provide reasonable notice to the residents affected by the proposed school closure.

School districts are exempt from complying with school closure policies when conditions defined by statute require an emergency closure of the school.

**VOTES ON FINAL PASSAGE:**

House	85	5
Senate	45	2 (Senate amended)
House	90	4 (House concurred)

**EFFECTIVE:** July 24, 1983**HB 725**

C 10 L 83 E1

By Representative Grimm (By Code Reviser Request)

Appropriating funds for the publication of the session laws.

House Committee on Ways and Means

Senate Committee on Ways and Means

**BACKGROUND:**

Since 1935 the funding of session law printing has been provided by a separate appropriation bill rather than in the omnibus budget act. This has been done so the appropriation can apply to the current biennium and carry over into the ensuing biennium to fit the cyclical publication of session laws.

**SUMMARY:**

There is appropriated \$128,300 from the State General Fund to the Statute Law Committee for the publication of session laws.

Appropriation: \$128,300

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	98	0

<u>First Special Session</u>		
House	96	0
Senate	48	0

**EFFECTIVE:** May 11, 1983**SHB 740**

C 26 L 83 E1

By Committee on State Government (Originally sponsored by Representatives Braddock, J. King, Zellinsky, Tanner, Smitherman, Ebersole, D. Nelson, Haugen and Jacobsen)

Establishing a cost control task force.

House Committee on State Government

Senate Committee on State Government

BACKGROUND:

During the early 1960's, cost control task forces became a popular tool for achieving economy in governmental activities while maintaining or improving the quality of the services provided. The key characteristic of these task forces is that they use private sector management and technical specialists to review governmental programs and make recommendations to improve organizational structure, operating functions and program priorities. During the last 20 years task forces have been established in numerous states to study programs at the state level, local level and in the area of public education.

Task forces are commonly funded by private sector organizations. These same organizations commonly donate the services of the management and technical specialists who make up the task force. Many of the task forces established throughout the United States over the last 20 years have worked with the assistance of consulting firms specializing in management and organizational design.

This concept was utilized in Washington in 1965, when the Council for Reorganization of Washington State Government was created by executive order. This task force was made up of 90 private sector management specialists. A private consulting firm provided a project manager. The project received more than \$400,000 in funding from organizations throughout the state. The task force studied 37 departments and activities of the state and made numerous recommendations. During the first two years in which the recommendations of the task force were implemented, the state realized actual savings of 20 million dollars.

In 1973, this task force concept was used again in Washington to do a Public School Management Survey. Twenty-two executives of the private sector took part in this project which was funded by 35 firms and the Association of Washington Business.

SUMMARY:

The Cost Control Task Force is established. It has the broad mandate of recommending ways to improve the operational effectiveness of government, minimize the need to reduce necessary government services and avoid increasing taxes unnecessarily. The Task Force is authorized to examine, question and review all state agencies.

The Task Force is to focus on the methods by which services are provided rather than policy issues concerning which services are provided. No later than December 5, 1983, the Task Force is to report its recommendations to the legislature and the Governor.

The Task Force is to consist of nonpartisan management and business and economic specialists from the private sector. The Speaker of the House of Representatives, the President of the Senate and the Governor of the state are each to choose an equal number of Task Force members. The members of the Legislative Budget Committee serve as nonvoting ex-officio members. Members are not compensated.

Beginning on June 30, 1984, the Legislative Advisory Committee on State Government (created by the 1983 Legislature) is to audit the implementation of task force recommendations and is to submit a report concerning its audit to the legislature by December 31, 1984.

The Task Force is to develop its own rules of operation. The Task Force will cease to exist upon submitting its report to the legislature and the Governor.

Future Obligation: The Legislative Advisory Committee on State Government Organization is to audit the implementation of task force recommendations and report its findings to the legislature by December 31, 1984.

Agency or Committee Created/Eliminated The Cost Control Task Force is created.

Rule Making Authority: Cost Control Task Force members are to develop their own rules of operation.

Termination Date: The Cost Control Task Force terminates upon the submission of its report to the legislature and the Governor (no later than December 5, 1983).

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>			
House	80	0	
<u>First Special Session</u>			
House	96	0	
Senate	26	23	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: July 13, 1983

**HB 741**

C 110 L 83

By Representatives Isaacson, Moon, Addison, Todd, Sanders, Hine and Dickie

Changing age provisions relating to the reporting of deaths by local registrars of vital statistics.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Existing law requires the local registrar of vital statistics in 1st class cities to monthly submit to the county auditor a list of persons over 21 years of age who have died. The state registrar of vital statistics supplies monthly lists of deaths in each county, except first class cities, to the county auditor. The auditor checks these lists against the list of registered voters to remove deceased persons.

**SUMMARY:**

First class city vital statistic registrars would have to report deaths of persons 18 or older, instead of 21 or older, to the county auditor.

**VOTES ON FINAL PASSAGE:**

House	90	0
Senate	41	0

**EFFECTIVE:** July 24, 1983

**HB 747**

C 302 L 83

By Representative Armstrong (By Uniform Legislation Commission Request)

Revising provisions of the uniform limited partnership act.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

The Uniform Limited Partnership Act adopted in 1981 governs the rights and responsibilities of both

limited and general partners to a limited partnership. Included in the act are provisions for limitation of liability of a person who contributes to a limited partnership in the erroneous, but good faith, belief that he or she has become a limited partner. When the 1981 act was adopted, the prior act was repealed. The 1981 act appears to allow a partnership agreement to modify the liabilities of a general partner with respect to persons outside the partnership. The Internal Revenue Service has determined that this modification may not comply with applicable federal regulations resulting in adverse tax consequences for limited partnerships established under the 1981 act.

**SUMMARY:**

A procedure is established for a person to withdraw from participation in a limited partnership if that person mistakenly believes he or she has become a limited partner. The person may file a certificate or statement with the Secretary of State. The rights and liabilities of general partners are conformed to applicable federal regulations. The partnership agreement may modify the liabilities of a general partner to the partnership and other partners. However, statutes, as opposed to the partnership agreement, govern the liabilities of the general partner to persons outside the partnership.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	46	0 (Senate amended)
House	96	0 (House concurred)

**EFFECTIVE:** July 24, 1983

**HB 753**

C 303 L 83

By Representative Moon

Modifying provisions concerning local improvements.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Cities and towns are authorized to create local improvement districts (LID's) and impose special assessments within the LID to fund the construction of public improvements. LID's are initiated upon petition of sufficient property owners or by resolution of the city or town council. If the LID is initiated by resolution of the council, property owners can restrain by protest the proposed LID. This power of restraint does not apply to sanitary sewers or water mains and fire hydrants under certain circumstances.

Delinquent special assessments are liens on the property subject to the special assessments.

Port districts are the only unit of local government expressly authorized to provide railways.

**SUMMARY:**

- (1) The law concerning the formation of LID's by cities and towns is altered as follows:
  - (a) A resolution adopted by the city or town to initiate a LID would not have to include information concerning outstanding LID's in the area and the value of the real estate.
  - (b) Notice sent to property owners concerning the proposed creation of a LID would be sent to the owners of property as shown on the county assessor's tax rolls instead of the treasurer's tax rolls.
  - (c) The department of ecology may file reports to establish the necessity for sanitary sewers or water mains under the existing process for cities and towns to proceed with such improvements in spite of an attempted restraint by protest of the property owners.
- (2) The law concerning the foreclosure of delinquent city LID special assessments is altered to increase requirements for notice and service of summons of pending foreclosure actions involving residential structures and to allow foreclosure lawsuits to be combined.
- (3) Changes are made concerning the provision of rail service.
  - (a) The Transportation Commission is directed to prepare a state rail plan identifying rail freight lines that may be abandoned and encouraging essential rail service.
  - (b) The essential rail assistance account is created into which any appropriated funds

are disbursed to county rail districts and port districts to aid in acquiring and maintaining branch rail lines and to operate railroad equipment. Funds distributed under this account must be repaid, together with interest, within ten years.

- (c) Counties are authorized to create rail districts to provide and fund rail freight service on limited use rail lines. A proposition to create such a district must be approved by voters who reside in the proposed county rail district. A county rail district may impose voter approved, single-year, excess property tax levies, and voter-approved, multi-year excess property tax levies to retire general obligation bonds. A county rail district may issue general obligation bonds and revenue bonds.

**VOTES ON FINAL PASSAGE:**

House	92	4
Senate	44	5 (Senate amended)
House	89	6 (House concurred)

**EFFECTIVE:** July 24, 1983**HB 765**

C 203 L 83

By Representatives R. King and Clayton

Adjusting amount of workers' compensation payable to certain injured workers.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

Absent legislative action, no annual "cost of living" adjustments are made to the pension and disability benefits payable to workers injured on or after July 1, 1971. (These benefits include temporary total disability benefits, permanent total disability benefits, and death benefits.) Legislation was passed in 1982, however, which provided for benefit adjustments on July 1, 1982 and July 1, 1983. These increases are made in direct proportion to changes in the state's "average monthly wage".

Workers injured before July 1, 1971 receive automatic "cost of living" adjustments on an annual basis.

**SUMMARY:**

Beginning July 1, 1984, annual "cost of living" adjustments to the pension and disability benefits payable to workers injured on or after July 1, 1971 will be made automatically. These adjustments will be made in direct proportion to changes in the state's "average monthly wage."

**VOTES ON FINAL PASSAGE:**

House	85	6
Senate	26	23

**EFFECTIVE:** July 24, 1983

**SHB 784**

FULL VETO

By Committee on Ways & Means (Originally sponsored by Representatives McDonald, Grimm, Heck, Cantu, Hine, Tilly, Sommers, G. Nelson, Barrett, Taylor, Sanders and Wang)

Establishing the economic and revenue forecasting council.

House Committee on Ways & Means

Senate Committee on Ways & Means

**BACKGROUND:**

In 1976, the forecasting process in the State of Washington was upgraded by contracting with Data Resources Incorporated to provide their economic consulting services to the state. Since that time, the forecasting structure has been increasingly centralized within the Office of Financial Management. This process has improved the consistency in the forecasting methods.

Before the March, 1983 forecast, there were six downward adjustments relative to the December, 1980 forecast. During 1981-83, they totaled \$1,587 million. These adjustments required legislative actions which have increased taxes and reduced the state budget.

As a result of this experience, legislative interest in the forecast has increased. The Legislative Evaluation and Accountability Program Committee has

prepared a study of the forecasting process. The Office of Financial Management has increased the accessibility of the legislature and has involved legislative staff members in the forecasting process. However, the legislature is still limited in its access to information on a timely basis.

**SUMMARY:**

The responsibility for making state revenue estimates is placed with a newly formed State Economic and Revenue Forecasting Council. This six member council is responsible for making the state forecasts. Its membership is comprised of one member from each party in the House and Senate and two members appointed by the governor. Access is provided to each member of the council to every aspect of the forecast and all information. The council is responsible for hiring staff to carry out the forecasting function. The council is also responsible for the development of alternative forecasts as requested by the Governor and legislators.

These provisions follow the recommendations of the Legislative Evaluation and Accountability Program Committee's report.

Agency or Committee Created/Eliminated The Economic and Revenue Forecasting Council is created and will have permanent responsibility for state economic and revenue forecasts.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	25	23

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

**HB 787**

C 67 L 83

By Representatives Sayan, Appelwick, Allen, Schoon, Fisher, Vekich, Stratton, Dellwo, R. King, Holland, Johnson and Miller

Excluding weekend duty military reserve pay from the definition of remuneration for purposes of unemployment compensation.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

A person receiving unemployment benefits is permitted to work on a part-time basis while receiving benefits. A percentage of the wages earned are deducted from the workers' benefits, however.

**SUMMARY:**

Payments for services in the military reserves (e.g. national guard, navy reserves) shall not be deducted from the unemployment benefits otherwise payable to an individual if the period of service being compensated does not exceed seventy-two hours.

**VOTES ON FINAL PASSAGE:**

House 90 7  
Senate 46 2

**EFFECTIVE:** July 24, 1983

**SHB 790**

C 304 L 83

By Committee on Higher Education (originally sponsored by Representatives Sommers and Miller)

Establishing a higher education course designation and numbering system.

House Committee on Higher Education

Senate Committee on Education

**BACKGROUND:**

The problems associated with transferring credit from one course or university to another are of concern to students and to organizations interested in postsecondary education. Difficulty associated with transfers from community colleges to four year institutions can be especially severe.

Many students reportedly have difficulty getting all courses accepted when they transfer from one public higher education institution to another. They also have trouble entering the university as a junior, even after completing an associate degree on a transfer track in their community college. The Intercollege Relations Commission for the State of Washington maintains voluntary guidelines designed to prevent problems of this kind.

In January of 1983, the Council for Postsecondary Education recommended the establishment of a common course numbering system, believing that it would help solve problems associated with transferring credit from one institution to another. The system would also assist in their analysis of duplicative educational programs. Because of the expense associated with creating and maintaining a common course numbering system, the Council staff has recommended that the legislature establish a transfer policy and agreement instead.

**SUMMARY:**

The Council for Postsecondary Education is directed to establish a statewide transfer of credit policy and agreement, in cooperation with institutions of higher education, the Council of Presidents and the State Board for Community College Education.

The policy and agreement will include course and program descriptions, but may not encourage or require standardized course contents or credit values. The policy and agreement must be designed to facilitate student transfers, transcript evaluations, academic planning, and the review and evaluation of academic programs.

Institutions of higher education are directed to provide support and staff resources to develop and maintain the policy and agreements.

**VOTES ON FINAL PASSAGE:**

House 98 0  
Senate 45 0 (Senate amended)  
House 93 0 (House concurred)

**EFFECTIVE:** July 24, 1983

**SHB 793**

C 305 L 83

By Committee on Agriculture (Originally sponsored by Representative Kaiser)

Relating to agricultural commodities.

House Committee on Agriculture

Senate Committee on Agriculture

## BACKGROUND:

State law requires persons to be licensed as "commission merchants" if they receive agricultural products for sale on consignment or otherwise sell such products on commission. Persons, other than cash buyers, who obtain agricultural products for resale or processing must be licensed as "dealers". Exempted from this requirement are retail merchants and certain persons licensed by the Department of Agriculture under other statutes. The commission merchant statutes require licensees to be bonded. The amount of the bond required, over certain minimums, is based upon the licensee's dollar volume of purchases or consignments.

State warehousing law for agricultural commodities regulates the depositing and merchandising of these commodities in public warehouses. Persons owning or operating such warehouses must be licensed by the Department of Agriculture and must be bonded. The Department has inspection and other regulatory authorities. The Department may request a superior court to authorize the Department to seize commodities and records in certain circumstances. It may also request a superior court to appoint a receiver in cases such as those involving the insolvency of a warehouse.

Currently, there are no statutory liens in this state for producers and depositors of agricultural commodities regarding transactions with warehousemen, processors, grain dealers or similar businesses. Within the last 3 years, three major agricultural warehouse firms have filed for bankruptcy. The unsecured claims of Washington producers involved in these cases have totaled several million dollars.

## SUMMARY:

Liens are created which give the producers or depositors of agricultural commodities certain rights in the commodities when they engage in transactions for the storage, processing or conditioning of their commodities. These liens apply to commodities delivered or sold to warehousemen, grain dealers, certain processors, and preparers of livestock and livestock products. Bonding requirements are established or increased for warehousemen, grain dealers, and certain commission merchants and commodity dealers. The administrative and regulatory authorities of the Department of Agriculture are altered, particularly with regard to warehouse operations. In

addition, grain dealers and boom loaders are required to be licensed.

## I. LIENS

## a. Transactions with Warehousemen and Grain Dealers.

When a depositor stores an agricultural commodity with a warehouseman or sells it to a grain dealer, the depositor has a first priority statutory lien on: the commodity, the proceeds from the sale of the commodity, or commodities owned by the warehouseman or grain dealer. The lien applies if the depositor has written evidence of a storage obligation or sale and arises, for storage, at the beginning of the storage or, for sales, at the time title is transferred. For sales, the lien terminates 30 days after the sale, or 40 days after the sale if payment is made by check or draft. The lien is to be preferred to any other lien or security interest of any creditor of the warehouseman or dealer and a lien claim need not be filed to perfect the lien.

## b. Transactions with Processors and Preparers.

A producer who delivers an agricultural product to a processor or conditioner has a first priority lien for the price or value of the product. The lien, called a "processor lien", applies to certain unprocessed products and attaches to the products delivered and the inventory and accounts receivable of the processor or conditioner. The lien attaches on the date the product is delivered and continues without filing until 20 days after payment is due. A similar lien is established for a producer who delivers grain, hay or straw to a person who feeds livestock or prepares livestock products for market. This "preparer lien" attaches to the products delivered and the preparer's accounts receivable.

If payment is not made by the date it is due, a producer may file a lien statement with the Department of Licensing within 20 days of that date. If a lien statement is timely filed, the lien continues its priority over all other liens except those for taxes or labor perfected before the filing of the lien. If it is not timely filed, the lien is subordinate to certain security interests and liens.

A processor lien terminates 6 months after, and a preparer lien terminates 50 days after, the date of attachment or filing, unless a suit to foreclose it is initiated before that date.



If a producer has filed a lien statement and subsequently receives full payment, the producer shall file a statement with the Department of Licensing declaring the lien to be discharged. If the producer fails to do so when requested, the producer is liable for certain damages.

## II. BONDS

### a. Grain Dealers and Warehousemen.

Persons who solicit, contract for, or obtain from a producer the title or control of any agricultural commodity governed by the state's agricultural warehouse statutes for the purpose of reselling the commodity are defined as being "grain dealers". No person may operate as a grain dealer without a license, except those licensed to do so under federal law. The license fees and bonding requirements for warehousemen are increased and those for grain dealers are established. The bonds are to be in the sum of not less than \$50,000 and not more than \$750,000 based upon the volume of the storage capacity of a warehouse or a grain dealer's annual receipts from sales. A certificate of deposit may be filed in lieu of such a bond. The Department may require an additional bond, beyond the prescribed limitation, in certain instances.

### b. Commission Merchants and Commodity Dealers

The minimum bond required for commission merchants or dealers in certain seed, hay or straw is increased to \$15,000. The formula for determining the bond in excess of the minimum is altered. The minimum bond required for any dealer who buys agricultural products at the time of obtaining possession is \$7,500. A separate formula is provided for determining the bond in excess of this minimum that is required for these dealers.

If the total of all claims of creditors against a bond exceeds the amount of the bond and creditors file claims after the date payment is due, each creditor's pro rata share shall be reduced according to a schedule. The schedule is based upon the length of time after that date that the claim is filed.

## III. FAILURE OF GRAIN DEALER OR WAREHOUSEMAN

In the event of a failure of a grain dealer or warehouseman, the Department of Agriculture may process the claims of depositors and make

determinations regarding their status. In the event there are not sufficient quantities of commodities to cover obligations, the Department may determine each depositor's pro rata share of the commodities and the amount due each claimant from the warehouseman's or dealer's bond. The Department shall liquidate the statutory lien to satisfy the claims of depositors. Depositors of stored commodities have a first priority lien against proceeds from the sale of stored commodities or against any commodities owned by the warehouseman or grain dealer. Depositors with written evidence of the sale of a commodity to the failed licensee who have completed delivery and pricing during a 30 day period immediately before the failure have a second priority lien. All other depositors with written evidence of the sale of a commodity to the failed licensee have a third priority lien.

## IV. OTHER PROVISIONS

A commodity deposited without a written agreement for the sale of the commodity to the warehouseman shall be considered a commodity in storage. The form of any deferred price contract must be approved by the Director of Agriculture under standards established by rule. The penalty for printing or distributing a warehouse receipt form except on the Department's order or for using such unauthorized receipt forms is increased from a misdemeanor to a class C felony.

The authority of the Department to regulate licensed warehouses and grain dealers is altered. The Department may levy fines against a licensee who does not submit required records or property for inspection, or is short of the commodities reportedly stored in the warehouse. In the latter case, the Department may also order the warehouseman to cease certain activities until there is no longer a shortage.

The Director of Agriculture or his appointed officers may stop a vehicle transporting hay or straw on public roads to determine compliance with the state's commission merchant statutes. A person's failure to stop when directed to do so is a misdemeanor. In addition, persons, known as boom loaders, who operate certain devices for the commercial loading of hay or straw are required to be licensed and to keep records.

\$49,500 is appropriated from the general fund to the Department of Licensing for an automated lien filing and search system.

Appropriation: \$49,500

Revenue: A new license fee is imposed for boom loaders at a rate of \$10/year. The fee for a warehousing license is increased from: \$100 to \$200 for a terminal warehouse; \$75 to \$150 for a subterminal warehouse; and \$25 to \$50 for a country warehouse. A new license fee is imposed for grain dealers at a rate of \$100 unless the dealer is also licensed as a warehouseman in which case it is at a rate of \$50. Administrative provisions requiring the inspection (a service for fee) of grain delivered to a terminal warehouse are altered; such inspections are not required.

Rule Making Authority: The bill delegates new rule-making authority to the Department of Agriculture.

**VOTES ON FINAL PASSAGE:**

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

**EFFECTIVE:** July 24, 1983  
May 17, 1983 (Sections 16-80)

## SHB 796

### FULL VETO

By Committee on State Government (Originally sponsored by Representatives Walk, J. King, Hankins, B. Williams and Hine)

Creating a department of community development.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Department of Commerce and Economic Development: The Department of Commerce and Economic Development was created in 1957 when the Department of Conservation and Development was subdivided into various agencies. The Department was given the responsibility of encouraging the orderly economic development of the state, and did so by encouraging industry and tourism. Today, it approaches this responsibility by implementing programs aimed at expanding income and employment and assisting

business. Specific programs administered by the Department include promoting tourism and foreign trade, encouraging industrial development and assisting small businesses. In pursuing these activities, the Department interacts with foreign and domestic businesses, all levels of government and community and regional development groups.

Planning and Community Affairs Agency: When the Planning and Community Affairs Agency (PCAA) was first established in 1967, certain functions and personnel from the Department of Commerce and Economic Development (DCED) were transferred to the new agency. PCAA's original functions were to serve as a state agency for state planning, and to assist in community planning and development.

In 1969, fiscal planning and census responsibilities were transferred from PCAA to the Office of Financial Management. As time went on, and the state's responsibilities with regard to community programs changed, the Governor assigned a number of new functions to PCAA. In particular, as fiscal relationships between different levels of government became more complex, PCAA took on the responsibility of administering state grant-in-aid and federal pass-through grants to local governments. PCAA now serves as a conduit for communication between local and state governments, and as a resource for intergovernmental information and assistance.

PCAA works closely with federal agencies such as the Department of Housing and Urban Development, the Department of Health and Human Services, and the Department of Energy. The agency is also responsible for state housing programs, including the State Building Code and direct housing assistance to local communities. PCAA is currently undergoing sunset review. If PCAA is not re-authorized, it will cease to exist, after a one year "wind-down" period, on June 30, 1984.

**SUMMARY:**

Creates the Department of Economic and Community Development. There is created a new agency of state government to be called the Department of Economic and Community Development (DECD). The new agency is given the broad mandate of encouraging and facilitating economic and community development by: (1) providing financial and technical assistance to the communities of the state; (2) facilitating coordination and

cooperation between local, state and federal government; (3) promoting the development and diversification of state commerce, trade and economic development; and, (4) guaranteeing that state and local interests are represented in economic development activities.

Abolishes Department of Commerce and Economic Development, and the Planning and Community Affairs Agency. The Department of Commerce and Economic Development (DCED) and the Planning and Community Affairs Agency (PCAA) are both abolished and their duties and functions are transferred to the new agency. All reports, documents, funds, assets and equipment are transferred to the new agency. In addition, the new agency is to assume the responsibility for acts performed by DCED and PCAA prior to the effective date of the act as well as to continue and act upon rules and pending business of both agencies.

Director and Personnel of New Agency. The director of the Department of Economic and Community Development is to have experience in local government and community and economic development. The director, appointed by the Governor and confirmed by the Senate, is placed in complete charge of the agency and given supervisory powers including the authority to create administrative structures, to employ personnel and to delegate authority. The director, the director's secretary, the deputy director and office directors are exempted from civil service laws, and the director is subject to the Public Disclosure Act.

Structure of the Department of Economic and Community Development. The Department of Economic and Community Development is subdivided into three major offices: The Office of Contracts and Grants, the Office of Local Government Cooperation, and the Office of Trade and Economic Development. The functions of each of these offices are briefly described below:

The Office of Contracts and Grants is assigned the general accounting and fiscal responsibility for the Department. In addition, it is to assist the other offices by coordinating and facilitating the distribution of grants and funds to recipients.

The Office of Local Government Cooperation is to provide technical assistance, financial assistance and research on community development projects, infrastructure, capital budget planning and productivity improvements to local agencies and communities. In addition, it is to: (1) assist local

governments with cooperative solutions to mutual problems; (2) be a source of information, data and federal and state financial and technical assistance; (3) study issues and problems affecting local governments, (4) administer and implement state policy concerning grants assigned by the Governor and legislature; and, (5) participate with other states in interstate programs. The border area grant program currently assigned to PCAA is assigned to this office.

The Office of Trade and Economic Development is given the general responsibilities of assisting and coordinating economic development at the state and community levels, developing public-private-nonprofit partnerships in encouraging economic and community development and administering and implementing state policy concerning state and federal grants. In carrying out these general responsibilities, the Office of Trade and Economic Development is required to substantially carry forward the functions of the Department of Commerce and Economic Development. This includes the responsibility of promoting economic development at the local and statewide level as well as encouraging the promotion of the state throughout the country and in world markets. While, in some cases, duplicative language has been eliminated, the actual functions of the Department of Commerce and Economic Development have been retained. Specific programs placed in this office and emphasized in the bill include the tourist promotion program, industrial development activities, foreign trade, international trade fairs and the small business assistance program.

Economic and Community Development Advisory Council. The Economic and Community Development Advisory Council is created to: (1) recommend to the Department short and long-term policies; (2) advise the Department on the effectiveness of programs; (3) investigate methods to coordinate other state activities relating to economic and community development; and, (4) report annually to the Governor and the legislature.

All members of the Council are appointed by the Governor. Membership consists of the following: two elected county officials, two elected city officials, two members of the general public, two representatives of business, two representatives of labor, one member of an organization committed to economic development at the local level, a

representative of agriculture, and up to four additional nonvoting members. The four nonvoting members may include representatives of governmental entities not represented on the Council. Rural and urban interests and the geographical areas of the state are to be represented. Members receive per diem and travel expenses.

Other Provisions. The directors of the Department of Commerce and Economic Development and the Planning and Community Affairs Agency are removed from the Community Economic Revitalization Board. The director of the new Department and an additional representative of large business are added to the Board. The statewide Center for Voluntary Action, currently housed in the Office of the Planning and Community Affairs Agency, is placed in the Office of the Governor. Other changes in existing statutes are technical in nature. These include name changes, changing existing statutes to reflect current practice and repealing statutes that are outdated or superseded by this act.

The act is to become effective on July 1, 1984. However, effective immediately, the Governor, the director of the Department of Commerce and Economic Development, and the director of the Planning and Community Affairs Agency are to take whatever steps are necessary to ensure an orderly and efficient transition to the new agency.

Agency or Committee Created/Eliminated Creates the Department of Economic and Community Development. Eliminates the Department of Commerce and Economic Development and the Planning and Community Affairs Agency.

Rule Making Authority: The Department of Economic and Community Development is authorized to make rules pertaining to its activities.

VOTES ON FINAL PASSAGE:

Regular Session  
House 78 17

First Special Session  
House 70 26  
Senate 27 19 (Senate amended)  
House 66 31 (House concurred)

FULL VETO: (See VETO MESSAGE)

**HB 804**

C 306 L 83

By Representatives Smitherman, Zellinsky, Tilly, Sanders, Holland, Schoon, Isaacson, Johnson, Long and Allen

Requiring agencies to prepare annual program goals and objectives.

House Committee on State Government

Senate Committee on State Government

BACKGROUND:

Most state agencies, particularly executive agencies, currently establish goals and objectives for programs under their jurisdictions. These goals and objectives are used to evaluate programs internally, within the executive branch as a whole and, to a limited extent, in the budgeting process. There is no statutory requirement for agencies to establish program goals and objectives.

SUMMARY:

All agencies of the state are required to prepare program goals and objectives biennially. The goals and objectives are to be stated, as much as feasible, in terms of objective, measurable results. They are to be submitted to the Senate and House Ways and Means Committees and the Legislative Budget Committee for review and comment.

By August 15 of each year, agencies are required to submit reports on their performance for the previous fiscal year, regarding the goals and objectives to the Senate and House Ways and Means Committees and the Legislative Budget Committee for evaluation, review and comment.

Future Obligation: The Senate and House Ways and Means Committees and the Legislative Budget Committee are to evaluate, review and comment annually on the agency reports concerning their goals and objectives.

VOTES ON FINAL PASSAGE:

House 95 3  
Senate 46 1

EFFECTIVE: July 24, 1983

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**HB 817**

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**HB 817**

C 111 L 83

By Representatives R. King, Patrick, Lux, Brække, J. King, Schmidt, Pruitt, Clayton, McMullen, Hankins, Fisch, Hine, Heck, Gallagher, and Dickie

Authorizing injured workers to claim compensation for personal property damaged as a result of industrial accidents.

House Committee on Labor

Senate Committee on Commerce and Labor

**BACKGROUND:**

A worker injured on the job may claim compensation for personal injuries but generally may not claim compensation for damage to the worker's personal property.

**SUMMARY:**

A worker is permitted to claim compensation for loss of or damage to the worker's clothing, footwear or protective equipment when the loss or damage results from: (a) an industrial accident; or (b) emergency medical treatment for injuries caused by the accident.

Such claims are permitted only if the worker also has a valid claim for compensation for personal injuries.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	36	0

EFFECTIVE: July 24, 1983

**SHB 848**

C 307 L 83

By Committee on Higher Education (Originally sponsored by Representatives Braddock, Lewis, Kaiser, Crane, Jacobsen, Gallagher, Smitherman, Moon, Garrett, Barnes, R. King, Todd, Patrick, D. Nelson, B. Williams, Wilson, Mitchell, Schmidt, Taylor, Sanders, Tanner and Addison)

Extending the tuition and fee limits for Vietnam veterans.

House Committee on Higher Education

Senate Committee on Education

**BACKGROUND:**

Higher education tuition and fee rates for veterans of the Vietnam conflict who served in the Armed Forces between 1964 and 1975 are frozen at the level paid by these veterans in 1977. In effect, this class of students is granted a life time exemption from tuition and fee increases since 1977. To qualify, the veteran must be a resident and must have enrolled in a public higher education institution prior to May 7, 1983.

Undergraduates pay about one-half of the amount paid by other students and graduates pay about one-third of the amount paid by other graduate students.

Vietnam veterans who do not enroll prior to May 7, 1983 will not be entitled to these reduced tuition and fee levels.

**SUMMARY:**

The May 7, 1983 enrollment deadline is extended to May 7, 1989. The Vietnam 24,nam v.v veteran tuition waiver program will expire on June 30, 1995 at which time the tuition and fee rates will revert to the same rates paid by other students.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	45	0 (Senate amended)
House	91	3 (House concurred)

EFFECTIVE: May 17, 1983

**SHB 855**

C 112 L 83

By Committee on Social & Health Services (originally sponsored by Representatives Ballard, Kreidler, Ellis, Brough, Wang, Patrick, Lewis and Holland)

Changing provisions on emergency medical services.

House Committee on Social and Health Services

Senate Committee on Social and Health Services

**BACKGROUND:**

The Department of Social and Health Services (DSHS) certifies emergency medical services personnel. However, since training of certain personnel, e.g., mobile intravenous therapy technicians, airway management technicians, and mobile intensive care paramedics, are directly supervised by local physicians, DSHS requires recommendations for certification and re-certification be submitted by that supervising physician. These activities are done by the physician on a voluntary basis. The issue of legal protection came to light recently when a disgruntled intravenous therapy technician sued both a supervising physician and DSHS when re-certification was denied. In this case, the physician did not receive any state assistance or protection in his defense. Many of the supervisory physicians became quite concerned over this development and expressed strong reluctance to continue their involvement in the program unless some protection was offered.

In a separate issue, although there is a national certification for first responders (through the U.S. Department of Transportation), there is no state counterpart. A first responder is usually a fire fighter or law enforcement official who provides first aid at a scene of an accident. The Washington State Patrol wants the development of a state certified emergency service training program that is less extensive than the current state emergency medical treatment program, which requires 80 hours of training (chapter 18.73 RCW).

**SUMMARY:**

The Department of Social and Health Services is charged with the responsibility to hold harmless and provide legal representation to supervising physicians when sued because of actions taken in relation to emergency medical technician certification. Medical program directors are designated to administer training programs.

A first responder certification program is created which includes not less than 44 hours of training. Local and regional medical services advisory councils are established.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	48	0

EFFECTIVE: July 24, 1983

**SHB 865**

C 308 L 83

By Committee on Local Government (Originally sponsored by Representatives Ebersole, Dellwo, Niemi, D. Nelson, Smitherman, Jacobsen, Zellinsky, Fisher and Broback)

Requiring approval for contractual expenditures by cities or districts.

House Committee on Local Government

Senate Committee on Local Government

**BACKGROUND:**

Cities and public utility districts (PUD's) may enter into contracts or compacts with an operating agency, such as the Washington Public Power Supply System, or a publicly or privately owned public utility, to purchase and sell electrical energy.

**SUMMARY:**

A city or PUD may not enter into a contract or compact with an operating agency to purchase electricity, or to purchase or participate in a portion of an electrical generating project, that commits the city or PUD to pay an amount in excess of either an express rate per unit of electrical energy received or an express dollar amount.

**VOTES ON FINAL PASSAGE:**

House	77	19	
Senate	37	9	(Senate amended)
House	77	20	(House concurred)

EFFECTIVE: July 24, 1983

**HB 867**

C 204 L 83

By Representatives O'Brien, Niemi, Wilson, Miller, Brough, Allen, D. Nelson, Galloway, Isaacson, Charnley and Crane (By Washington State Arts Commission Request)

Revising the public arts program

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Washington's "Art in Public Places" requires that one-half of one percent of capital appropriations for new construction of buildings for state agencies and education institutions be used to purchase works of art. Art works purchased under this program can be an integral part of the structure, attached to the structure, detached, or exhibited in other public facilities. Highway construction sheds, warehouses and temporary buildings are exempt from the program.

Duties of the Washington State Arts Commission: The Arts Commission is responsible for the overall administration of the "Art in Public Places" program. In consultation with the appropriate agency, the Arts Commission: (1) determines the amount of money to be spent on art for any project (in practice, agencies generally inform the Commission of the amount of money available); (2) selects and commissions the artist; (3) reviews the design; and (4) places and accepts the works of art. The agency or institution actually contracts for and purchases the art work. Once purchased, the art work becomes a part of the inventory of the agency or institution. Current law contains no provisions for the sale, exchange, disposition or maintenance of works of art purchased under this program.

State Agencies: The Arts Commission, in consultation with the agency, determines the amount to be made available for the purchase of works of art. It is also responsible for commissioning the artist, execution, placement and acceptance of works. Any unused funds can be expended for art in other projects of the agency. In addition to paying for the work of art, the one-half of one percent appropriation also covers the costs of administration.

Common Schools: The Arts Commission determines the amount of money to be used for a project in consultation with the Superintendent of Public Instruction. It undertakes its other activities in consultation with the Superintendent of Public Instruction and the school where the project is located. Any unused funds may be used in other projects of the school district. The school district retains the right to: (1) waive the use of the one-half of one percent appropriation; (2) appoint a

representative to the body making the selection of the work of art; (3) reject the selection; and (4) reject the placement of a completed work.

Universities, Colleges and Community Colleges: The Arts Commission undertakes its responsibilities in consultation with the appropriate college or university.

**SUMMARY:**

The Art in Public Places program and the role of the Arts Commission are expanded. The definition of state agencies is clarified to include boards, councils, commissions, and quasi-public corporations (for example, the Seattle Convention Center). The placement of art works is expanded to include public lands as well as buildings. Works of art purchased under this program may be used as part of a portable exhibition or collection, or part of a temporary exhibition.

Duties of the Washington State Arts Commission: The authority for administering and maintaining the Art in Public Places program is consolidated under the Arts Commission. State agencies and education institutions are placed in a more consultative role. A Visual Arts Program is created and placed under the jurisdiction of the Arts Commission. All works of art purchased or commissioned under the Visual Arts Program become part of a state collection administered by the Arts Commission. Public works of art previously purchased or commissioned under the laws of the Arts Commission, state agencies in general, the Department of General Administration and education institutions are made a part of the state collection.

The Arts Commission takes on the responsibilities, formerly left to the agencies, of designating projects and sites and contracting for and purchasing works of art. The Arts Commission also is responsible for maintenance and sale, exchange or disposition of works of art in consultation with the participating agencies. In the case of common schools, the Arts Commission no longer consults with the individual Board of Directors but, instead, consults with the Superintendent of Public Instruction and representatives of all the Boards of Directors. With the exception of maintenance, the administrative cost of the activities are to be paid for by the one-half of one percent appropriation. Maintenance costs are to be paid for by a specific appropriation.

Provision is made for state agencies and institutions to transfer funds to the Commission. Funds are to be transferred to the Arts Commission through interagency reimbursement at the time a law providing for an appropriation becomes effective or, for bonded projects, thirty days after the sale of the bonds.

The operation of the one-half of one percent program for art in common schools is to be studied by a group appointed by the executive director of the Arts Commission, the Superintendent of Public Instruction and the Washington State School Directors Association. The section of this act pertaining to common schools can only be implemented upon the approval of the Arts Commission, the Superintendent of Public Instruction and the Washington State School Directors Association.

In the case of common schools, provision is made for the placement of art in selected school districts in accordance with the constitutional requirements relating to the common school fund. In the case of institutions of higher education, the one-half of one percent appropriation is applied not only to new construction but to any major renovation or remodel work costing more than \$200,000. Expenditures of funds originating from Institutions of Higher Education are to be approved by the appropriate institution.

#### VOTES ON FINAL PASSAGE:

House	66	32
Senate	41	7 (Senate amended)
House	82	15 (House concurred)

EFFECTIVE: July 24, 1983

### SHB 882

C 309 L 83

By Committee on Financial Institutions & Insurance  
(originally sponsored by Representative Tanner)

Changing provisions relating to interest rates in the absence of an express agreement.

House Committee on Financial Institutions & Insurance

Senate Committee on Financial Institutions

#### BACKGROUND:

RCW 19.52.010 set the rate of interest on loans and forbearances at 6 percent (in 1981, it was changed to 12 percent) "where no different rate is agreed to in writing between the parties." Division Two of the Court of Appeals recently held that the statutory interest rate of RCW 19.52.010 applied to a conditional sales contract in which a number of monthly installments of a certain amount were to be paid. Neither the specific rate of interest, nor sufficient information from which the actual rate could be computed, was stated in the contract. Under the circumstances, the court of appeals held that the statutory interest rate of 6% applied, because "no different rate (had been) agreed to in writing between the parties."

Since 1981, Chapter 19.52 no longer applies to conditional sales contracts. However, this amendment did not affect contracts then in existence. RCW 19.52.010 and the 6 percent rate still may affect contracts entered into prior to the 1981 amendments. The case may also apply to other kinds of transactions.

#### SUMMARY:

A written agreement for the payment of money at the end of, or in installments during, an agreed period of time, is a "writing" within RCW 19.52.010 and the statutory interest rate does apply to such an agreement.

#### VOTES ON FINAL PASSAGE:

House	82	15
Senate	46	3

EFFECTIVE: July 24, 1983

### SHB 888

C 162 L 83

By Committee on Judiciary (originally sponsored by Representatives Ebersole, Jacobsen, Wang and Dellwo)

Revising provisions relating to criminal sentencing.

House Committee on Judiciary

Senate Committee on Judiciary and Institutions



**BACKGROUND:**

In 1982, the legislature provided a method for reducing inmate populations in response to prison overcrowding. The law allows the Board of Prison Terms and Paroles to reduce the existing sentences of inmates convicted of crimes other than treason, Class A felonies, or certain crimes for which mandatory minimum sentences are required. (Those latter crimes include any felony committed while armed with a deadly weapon, being an habitual criminal, and embezzlement by an officer or stockholder of any institution of public deposit.)

**SUMMARY:**

All violent offenders, not just Class A felons are excluded from consideration for sentence reduction. Violent offenses include all Class A felonies (plus any attempt or conspiracy to commit a Class A felony), manslaughter in the first or second degree, indecent liberties by forcible compulsion, rape in the second degree, kidnapping in the second degree, assault in the second degree, extortion in the first degree, and robbery in the second degree.

The Parole Board is explicitly authorized to adopt guidelines for initial sentencing that reflect concern about overcrowding. Those guidelines may be applied only to prisoners convicted of non-violent offenses.

**VOTES ON FINAL PASSAGE:**

House	88	7
Senate	34	14

**EFFECTIVE:** July 24, 1983

**HB 905**

C 310 L 83

By Representatives Dellwo and Stratton

Revising the determination of eligibility for certain group training homes.

House Committee on Social & Health Services

Senate Committee on Social & Health Services

**BACKGROUND:**

There is currently one facility which serves developmentally disabled persons in Washington state and which is designated as a "group training home" under RCW 72.33.815. This facility operates as a parent cooperative. The cooperative requires parents to provide some of the care and training of the persons residing at the facility. With the emphasis by the Department of Social and Health services on deinstitutionalizing developmentally disabled persons, the potential exists that disabled persons could be placed in this facility despite the fact that they do not have parents who are able and willing to provide the care and training services required by the cooperative.

**SUMMARY:**

The Secretary of the Department of Social and Health Services is required to make special provision in determining eligibility and payment for placement in group training homes which require parents to provide some care and training for the developmentally disabled person placed in the homes. The eligibility requirements for a person placed in such group training homes must include having the parents able and willing to provide some of the care and training of the persons placed there.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	45	0

**EFFECTIVE:** July 24, 1983

**SHB 906**

C 311 L 83

By Committee on Social & Health Services (originally sponsored by Representative Kreidler)

Modifying provisions regarding developmentally disabled juveniles living in out-of-home placements.

House Committee on Social & Health Services

Senate Committee on Social & Health Services

BACKGROUND:

Currently the state of Washington receives about \$12 million biennially, in federal funds for family foster care. As a condition for the receipt of this money the cases of all children in family foster care for more than 18 months must be reviewed by the court every six months.

Further, Washington State's Juvenile Justice Act requires that any child in foster care for longer than 3 months must also have a court review on a 6 month basis. The authority for this review is provided in that law dealing with dependency and termination of parental rights. For the court to have continual jurisdiction, in these matters, the issue of dependency and parental adequacy must be raised. Grounds are "abandonment," "abuse and neglect," and/or "no parent willing or capable of caring for the child." Dependency proceedings can, and often do, lead to the termination of the parent/child relationship.

Presently, there are 430 DD children in family foster care and 30 in group care. The sole reason they are in out-of-home care is because necessary services cannot be provided in their home.

Because of the federal funding requirement it is necessary for these developmentally disabled children to be deemed "dependent," with court review conducted every 6 months. Presently, the basis for this dependency is the "willing or capable" provision. This requirement has caused undue inconvenience and embarrassment to developmentally disabled persons and their families.

In a related issue, current statute is unclear as to whether or not agreement orders are permitted in juvenile court.

SUMMARY:

The term "dependent child" is redefined to include a child whose parent, guardian, or legal custodian -- together with the Department of Social and Health Services -- has determined that services appropriate to the child's needs cannot be provided in the home.

Notice of a court hearing must be given to a developmentally disabled child's custodian as well as the parent if the child is not living at home. The child is not required to appear at hearings unless requested by court. Explicit authority for agreed court orders is provided.

VOTES ON FINAL PASSAGE:

House	95	0
Senate	49	0 (Senate amended)
House	96	0 (House concurred)

EFFECTIVE: July 24, 1983

HB 919

C 312 L 83

By Representative R. King

Authorizing self-insurers to provide assignments of account as security for industrial insurance payments.

House Committee on Labor

Senate Committee on Commerce and Labor

BACKGROUND:

When a worker dies or is permanently and totally disabled due to an industrial accident, the Department of Labor and Industries transfers funds to a special "reserve" fund. This fund is used to cover future benefit payments to the employee or the employee's beneficiaries.

Similarly, self-insured employers are required to deposit funds in the special reserve fund when one of their workers dies or is permanently and totally disabled due to an industrial accident. The amount which must be paid into the reserve fund is based on annuity values. (If it is estimated that an employee will be entitled to \$100,000 over a ten year period, a sum which is calculated to return \$100,000 over those ten years is placed in the fund, rather than the full \$100,000).

As an alternative to depositing funds into the reserve fund, a self-insurer is permitted to post a bond. The Department then makes monthly payments to the employee and bills the self-insured employer on a quarterly basis.

SUMMARY:

Self-insured employers are permitted to assign a commercial banking account to the Department of Labor and Industries (in lieu of posting a bond) to insure payment of pension benefits when a worker dies or is permanently and totally disabled due to an industrial accident. The Department is directed

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**HB 919**

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to adopt rules governing such assignments of account.

Rule Making Authority: The Department of Labor and Industries is directed to adopt rules governing assignments of account.

**VOTES ON FINAL PASSAGE:**

House 91 0  
Senate 42 0

EFFECTIVE: July 24, 1983

**HB 925**  
C 152 L 83

By Representatives McMullen and Armstrong.

Enacting the Uniform Conflicts of Laws -- Limitations Act.

House Committee on Judiciary

Senate Committee on Judiciary

**BACKGROUND:**

Legal disputes sometimes arise that involve the possible application of laws from two or more states. As an example, a plaintiff who lives in Oregon may be injured in Washington by a defendant who lives in Idaho. Various rules have been developed by courts to deal with conflicts between the laws of different states. One type of law which may vary from state to state is the limitation on the time during which an action may be brought.

Generally, Washington courts have adopted a rule to resolve conflicts in statutes of limitations that says that statutes of limitations are "remedial" and therefore the law of the "forum state" will control. That means, for example, that the time for bringing an action in Washington will be limited by Washington law regardless of where the cause of action arose.

**SUMMARY:**

The general Washington rule regarding choice of limitations from among differing state laws is reversed. The statute of limitations that applies to a suit is from the same state as the substantive law controlling the suit.

If a court finds that the normal rule for choosing limitations produces a result that is substantially different from what would happen under Washington's statute of limitation, and that the result is unfair to plaintiff or defendant, then the court may apply Washington's statute of limitation instead.

The new choice of limitations rule applies to claims arising after the law's effective date, or asserted more than one year after its effective date. The new rule, however, does not revive a claim which was previously barred.

**VOTES ON FINAL PASSAGE:**

House 94 0  
Senate 46 0

EFFECTIVE: July 24, 1983

**SHB 1011**  
C 313 L 83

By Committee on Energy & Utilities (originally sponsored by Representative D. Nelson)

Relating to building requirements.

House Committee on Energy and Utilities

Senate Committee on Energy and Utilities

**BACKGROUND:**

In 1980, legislation was enacted which mandated energy audits and implementation of cost-effective energy conservation measures in state-owned buildings and in buildings leased and occupied by the state. The legislation was amended in 1982 to provide a specified schedule for completion of the conservation retrofits. The Department of General Administration is in charge of carrying out the program.

Two institutional barriers have hampered somewhat the implementation of cost-effective energy conservation measures at the earliest possible time: (1) Building managers have been hesitant to invest operating funds for capital improvements even though there may be a rapid payback and (2) State agencies have been hesitant in exploring private funding sources which exist to facilitate energy conservation.

## SUMMARY:

Each state agency is required to immediately implement all identified energy conservation measures in state-owned buildings which have a payback period of two years or less and a positive cash flow in the same biennium.

Additionally, the Department of General Administration is required to establish guidelines to facilitate private investment in energy conservation measures in state-owned buildings in a manner consistent with state law.

## VOTES ON FINAL PASSAGE:

House	95	0
Senate	44	4 (Senate amended)
House	95	0 (House concurred)

EFFECTIVE: July 24, 1983

**SHB 1035**FULL VETO

By Committee on Labor (Originally sponsored by Representative R. King)

Authorizing collective bargaining for state patrol officers on nonwage issues.

House Committee on Labor

Senate Committee on Commerce and Labor

## BACKGROUND:

State patrol officers currently have no statutory collective bargaining rights. These officers are also exempt from the provisions of the state civil service law.

The Department of Personnel conducts salary and fringe benefit surveys for state patrol officers.

## SUMMARY:

State patrol officers are granted limited collective bargaining rights under the Public Employees' Collective Bargaining Act. In the case of state patrol officers, collective bargaining will not include wage-related matters.

The Department of Personnel will continue to conduct salary and fringe benefit surveys which will be forwarded to the legislature.

The binding arbitration provisions of the Public Employees' Collective Bargaining Act will apply to state patrol officers, although wage-related matters will not be considered by the arbitration panel.

The arbitration panel will compare public employees covered by binding arbitration (e.g. firefighters, police, state patrol officers) with "like" personnel of "like" employers of similar size in the west coast of the United States.

## VOTES ON FINAL PASSAGE:

House	61	34
Senate	29	18

EFFECTIVE: FULL VETO  
(See VETO MESSAGE)

**SHB 1038**

C 17 L 83

By Committee on Constitution, Elections & Ethics  
(originally sponsored by Representative Pruitt)

Relating to congressional redistricting.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

## BACKGROUND:

In its decision in the case of Doph, et al. v. Munro, et al., a three-judge federal court found the state's Congressional districting plan to be unconstitutional and directed that a new Congressional districting plan be developed within 90 days of the beginning of the 1983 Regular Session.

A 1983 act created a temporary Congressional Redistricting Commission. The Commission was required to adopt a districting plan for Congressional districts within certain guidelines and to submit the plan to the Legislature in bill form. The plan was submitted on March 14, 1983. Under the act, the Legislature had 15 days after that date to adopt or amend the plan.

This bill is the redistricting plan submitted by the Commission.

**SUMMARY:**

The boundaries of the state's eight Congressional districts are established. The 1st District consists of parts of King, Kitsap and Snohomish Counties. The 2nd District consists of Clallam, Island, Jefferson, Mason, San Juan, Skagit and Whatcom Counties and parts of Grays Harbor, King and Snohomish Counties. The 3rd District consists of Cowlitz, Lewis, Pacific, Thurston and Wahkiakum Counties and parts of Clark, Grays Harbor and Pierce Counties. The 4th District consists of Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Klickitat, Okanogan, Skamania and Yakima Counties and parts of Clark and Walla Walla Counties. The 5th District consists of Adams, Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens and Whitman Counties and part of Walla Walla County. The 6th District consists of parts of King, Kitsap and Pierce Counties. The 7th District consists of part of King County. The 8th District consists of parts of King and Pierce Counties.

Repealed are the provisions of law enacted in 1982 establishing Congressional district boundaries and providing certain remedies for any portions found to be invalid.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	44	4

**EFFECTIVE:** March 29, 1983

**HB 1075**

C 9 L 83

By Representative Grimm

Business and Occupation Tax Increase, 1981-1983  
Biennium

House Committee on Rules

Senate Committee on Rules

**BACKGROUND:**

The state's second largest revenue source is the state business and occupation tax which is set at a rate of .44% of gross receipts for most businesses, and 1.0% for services. Surtaxes are applied on the B & O tax and most other excise taxes at a rate of

7%. The surtaxes are scheduled to expire on June 20, 1983.

**SUMMARY:**

Effective March 1, 1983 through June 30, 1983.

- 1) The business and occupation tax on services is increased from 1.07% to 2.0%.
- 2) The business and occupation surtax on retailers in border counties only (Clark, Cowlitz, Skamania, and Klickitat) is increased from 7% to 32%. The rate thus increased from .471% to .581%.
- 3) The business and occupation surtax on retailers who are engaged in the sale of airplanes, railroad cars, watercraft and cargo containers for use in interstate or foreign commerce are also subject to a 32% surtax. (These retailers are exempt from the sales tax.)
- 4) The business and occupation tax on all other retailers is continued at 7%.
- 5) The business and occupation surtax on all other businesses is increased from 7% to 32%.

All of the above surtaxes expire on June 30, 1983.

Revenue: \$63.5 million.

**VOTES ON FINAL PASSAGE:**

House	82	16
Senate	33	15

**EFFECTIVE:** March 1, 1983

**HB 1079**

PARTIAL VETO

C 76 L 83 E1

By Representative Grimm

Relating to the budget.

House Committee on Rules

Senate Committee on Ways & Means

**SUMMARY:**

Adopting the 1983-85 operating budget.

VOTES ON FINAL PASSAGE:

First Special Session

House	50	46	
Senate	25	19	(Senate amended)
House			(House refuses to concur)
Senate	25	19	(Senate amended)
House	50	47	(House concurred)

EFFECTIVE: June 15, 1983  
(SEE VETO MESSAGE)

**HB 1082**

C 36 L 83 E1

By Representative Grimm

Relating to fiscal matters.

House Committee on Rules

Senate Committee on Ways and Means

BACKGROUND:

Article VIII of the State Constitution limits state government indebtedness. Generally, it restricts the state from paying principal and interest on general obligation bonds in excess of an amount equal to nine percent of the preceding three-year average of general state revenues.

In 1979, a statute was enacted providing additional restrictions. This statute contains a similar formula but restricts the amount of indebtedness to seven percent and includes within the restriction all voter approved debt which is excluded from the constitutional limit.

The state is at the limit of its statutory capacity for borrowing to finance state and local capital projects. The state will not be able to use bonds to fund all the current capital projects already underway and few, if any, new projects will be started next biennium. The source for funding current capital projects, which are under contract, would then be determined by the State Finance Committee.

SUMMARY:

Increased state indebtedness is authorized. Excluded from the statutory debt limit are short-term debt, convention and trade center bonds,

and bonds requiring the treasury to be reimbursed from money other than General State revenues. This will allow the state, within the present seven percent limit, to issue an additional \$394 million of general obligation bonds.

VOTES ON FINAL PASSAGE:

First Special Session

House	52	43
Senate	27	21

EFFECTIVE: May 17, 1983

**SHB 1089**

C 314 L 83

By Committee on Commerce and Economic Development (Originally sponsored by Representative Niemi)

Relating to the holding of a China Exhibition in Washington State.

House Committee on Commerce & Economic Development

Senate Committee on Commerce & Labor

BACKGROUND:

Exhibitions such as King Tut at the Seattle Art Museum are major attractions and have a significant draw on out-of-state visitors. In 1984, the Pacific Science Center in Seattle has been selected to host "China: 7000 Years of Discovery" for a six-month exhibition. The potential benefits of this exhibit include increased tourism expenditures and facilitating trade with China.

SUMMARY:

The China exhibition council is established to advise the governor on ways to facilitate the promotion and hosting of the proposed exhibition; direct the expenditure of \$45,000 as appropriated in this act; and report to the governor and legislature by January 30, 1985 about the results of the exhibition. The council will consist of five members appointed by the governor who will serve without compensation.

A general fund appropriation of \$45,000 is made to the governor's office to facilitate the China exhibition.

## SHB 1089

The act expires on February 1, 1985.

Future Obligation: The council will report to the governor and legislature by January 30, 1985 about the results of the exhibition.

Appropriation: \$45,000

Agency or Committee Created/Eliminated China exhibition council

Termination Date: February 1, 1985

### VOTES ON FINAL PASSAGE:

House	98	0
Senate	45	1

EFFECTIVE: July 24, 1983

## SHB 1093

C 315 L 83

By Committee on Local Government (Originally sponsored by Representative Moon)

Funding flood control improvements.

House Committee on Local Government

Senate Committee on Local Government

### BACKGROUND:

Various units of local government may provide storm water control facilities and impose rates, charges and assessments to fund these facilities. Existing law permits the imposition of charges on "benefited" property or on property "contributing to an increase in surface water runoff" to fund storm water control facilities. However, the law does not expressly provide whether or not public property is liable for such charges.

### SUMMARY:

- (1) Any public entity, including the state, is subject to paying rates and charges for storm water control facilities provided by counties, cities, towns, sewer districts, or flood control zone districts if public property receives benefits from such facilities, or improvements on

public-owned property contribute to an increase of storm water run-off.

- (2) Real property which causes increased storm water or surface water run-off or accumulation on other real property, in excess of that naturally occurring, is liable for such damage and may have special assessments, rates or charges imposed to pay for its equitable portion of the cost of public facilities to remove such storm water or surface water.
- (3) Local governments that establish rates or charges to fund storm water control facilities or improvements shall give credit to the value of storm water control facilities or improvements that a person or entity has installed to mitigate the impact of storm water.
- (4) Flood control zone districts are authorized to provide storm water control facilities and to fund such facilities by:
  - (a) imposing assessments on property specifically benefited by such facilities.
  - (b) imposing charges for furnishing service to those benefited by such facilities or to those contributing to an increase in surface water run-off.
  - (c) creating of LID's or ULID's.
  - (d) using receipts from existing authority to impose property tax levies.
- (5) The status of flood control zone districts as separate units of government is clarified. Flood control zone districts are governed by supervisors, who are the members of the county legislative authority.
- (6) Delinquent special assessments of flood control zone districts may be enforced in the manner that irrigation districts enforce their delinquent assessments.

### VOTES ON FINAL PASSAGE:

House	90	0
Senate	46	2 (Senate amended)
Senate	46	1 (Senate receded)
House	96	0

EFFECTIVE: July 24, 1983

**HB 1094**

C 48 L 83 E1

By Representative Moon

Relating to local government

House Committee on Energy and Utilities

Senate Committee on Energy and Utilities

**BACKGROUND:**

The validity of agreements and contracts between WPPSS and utilities participating in its projects is in dispute as a matter of litigation. There is concern that officers and employees of participating public utility districts, municipal corporations, and quasi-municipal corporations would be personally liable for decisions made during pending litigation if the outcome of the litigation is contrary to the action taken.

**SUMMARY:**

Officials of public utility districts, municipal corporations, or quasi-municipal corporations are immune from civil liability for mistakes made in the good faith performance of their official duties. This immunity applies only to duties relative to electric utilities and matters involving the exercise of judgment and discretion. This grant of immunity is personal and does not extend to the participating utilities.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
House	89	2	
Senate	32	6	(Senate amended)
House	94	0	(House concurred)

EFFECTIVE: May 23, 1983

**HJM 4**

By Representatives Moon, Fuhrman, Egger, Todd, Miller, D. Nelson, Sutherland, Isaacson and B. Williams

Petitioning that the federal government delegate all permitting authority for small scale hydroelectric facilities to the states.

House Committee on Energy and Utilities

Senate Committee on Energy and Utilities

**BACKGROUND:**

Small hydroelectric project developers experience difficulty and expense in acquiring federal and state permits. Because so many federal, state, and local entities are involved, some in an interlocking way, excessive red tape is inevitable. A solution is to delegate the small projects so the federal government can concentrate on the larger, more complicated cases.

**SUMMARY:**

Congress and the President are urged by the legislature to delegate to states the authority to permit small hydroelectric projects of 100 kilowatts or less.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	42	0

**HJM 15**

By Representatives Garrett, Sayan, J. King, Charnley, Jacobsen, Miller and D. Nelson

Urging the establishment of a permanent civilian conservation corps.

House Committee on Commerce & Economic Development

Senate Committee on Parks & Ecology

**BACKGROUND:**

The Civilian Conservation Corp (CCC) was created by Congress in the 1930's in a period of substantial unemployment. During its nine year duration, it provided jobs to three million Americans who built roads, bridges, parks, and performed an assortment of other projects. A bill currently moving through Congress would create a new public employment program similar to the CCC. The bill would create the American Conservation Corps and is expected to provide employment for 100,000 people in 1984 and each subsequent year.



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## HJM 15

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### SUMMARY:

The administration and Congress is requested to give immediate and serious consideration to the establishment of a permanent Civilian Conservation Corps to assist in providing employment for youth in worthwhile projects and practical training in the professions.

### VOTES ON FINAL PASSAGE:

House	86	11
Senate	44	4

## HJM 17

By Representatives Powers, Miller, Hine, Allen, Niemi, Brough, Ellis, Silver, Belcher, Fisher, Sommers, Hankins, Brekke, Galloway, Rust, Stratton, Monohon, Haugen, Heck, Patrick, Wang, Schoon, Appelwick, Vander Stoep, Pruitt, Betrozoff, Smitherman, Ristuben, Zellinsky, Sayan, Burns, McClure, Jacobsen, Egger, D. Nelson, Grimm, Garrett, O'Brien, Fisch, Tanner, McMullen, Crane, Vekich, Armstrong, Sutherland, Charnley, J. King, R. King, Dellwo, P. King, Lux, Braddock, Moon, Halsan, Todd, Kreidler, Locke, Prince, Martinis, Kaiser, Barrett, Isaacson, Ristuben and Lewis

Urging the passage of the Equal Rights Amendment to the U. S. Constitution.

House Committee on Constitution, Elections & Ethics

Senate Committee on Judiciary

### BACKGROUND:

In 1972, Congress approved the following proposed amendment to the U. S. Constitution:

" Article \_\_\_\_\_

SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

SEC. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

SEC. 3. This amendment shall take effect two years after the date of ratification."

The original expiration date for ratification was March 1979; however, Congress extended the

expiration date to June 30, 1982. Since this proposed Equal Rights Amendment was not ratified by 38 states before the expiration date, the amendment did not take effect.

### SUMMARY:

The President of the United States and the Congress are asked to renew efforts to encourage the speedy passage of the Equal Rights Amendment to the U. S. Constitution.

### VOTES ON FINAL PASSAGE:

House	83	11
Senate	41	8

## SHJM 19

By Committee on Commerce and Economic Development (Originally sponsored by Representatives Tilly, B. Williams, Taylor, Johnson, Barnes, Chandler, Smith, Sanders, Prince, Silver, Allen, Miller, G. Nelson, Patrick, Brough, Ballard, Wilson, J. Williams, Isaacson, Betrozoff, and Lewis)

Asking Congress to adequately fund the Export Import Bank.

House Committee on Commerce & Economic Development

Senate Committee on Commerce & Labor

### BACKGROUND:

Exports accounted for 5 million jobs in 1982, including one out of every eight jobs in the manufacturing industry. A recent U.S. Treasury survey estimated that four out of every five jobs in U.S. manufacturing were coming from foreign trade. It is estimated that every \$1 billion increase in U.S. exports results in 24,000 new jobs.

The Washington State economy, through its dependence on capital goods and dependency on the traded markets is highly sensitive to changes in foreign trade. The Ex-Im Bank, created in 1934 to aid in financing and to facilitate exports, provides important loan guarantees to export trading companies and exporters. This access to working capital loans is provided to companies which otherwise would not receive such assistance and would not be able to support export of

products that are likely to be sold abroad through other means.

**SUMMARY:**

SHJM 19 emphasizes the importance of international trade to the Washington State economy and urges the Congress to authorize an adequate funding level for the Export-Import Bank. Key industries in the state, particularly in agriculture, aviation, forest and other manufactured products depend on financing to ensure access to the export market. SHJM 19 requests the Congress to adequately fund the Ex-Im Bank in order to respond to competition created by foreign government subsidized corporations.

**VOTES ON FINAL PASSAGE:**

House	96	2
Senate	46	0

### HJM 31

By Representatives Fuhrman, Sanders and Tanner

Petitioning Congress and President Reagan to make efforts to have MIAs returned.

House Committee on State Government

Senate Committee on State Government

**BACKGROUND:**

Eight years since the Vietnam War ended, there are still approximately 2,500 American servicemen who are officially listed as missing in action in Vietnam, Cambodia and Laos. Although most are believed dead, last summer national security advisor William P. Clark stated that the United States still cannot rule out the possibility that some American soldiers are being held captive in Southeast Asia. There have been occasional unconfirmed reports from refugees of having seen American prisoners in their countries.

The Vietnamese government, however, denies these claims, and has also insisted that they have returned any bodies or remains which have been found. In recent years the Vietnamese government has turned over remains of a few American soldiers each year.

There have been nine official U.S. delegations to Hanoi seeking resolution of questions regarding servicemen still listed as missing in action, and some visits to Southeast Asia by groups of family members of MIA's. However, the United States has not established formal diplomatic ties with Vietnam, and relations between the two countries in efforts to uncover information and evidence regarding MIA's have been strained.

**SUMMARY:**

The Washington State Legislature asks that President Reagan and Congress make every possible effort to have all MIA's in Vietnam and Southeast Asia returned to the United States.

**VOTES ON FINAL PASSAGE:**

House	96	1
Senate	49	0

### HJM 32

By Representatives Addison, Fiske, Miller, Hankins, Tanner, B. Williams, Ebersole, Bond, Wilson, and Sanders.

Requesting steelhead be designated a national game fish.

House Committee on Natural Resources

Senate Committee on Natural Resources

**BACKGROUND:**

Steelhead trout are subject to treaty Indians' fishing rights and are fished for commercially by treaty Indians. The steelhead is also a popular game fish with sport anglers.

**SUMMARY:**

The United States Congress is petitioned to enact legislation declaring the steelhead trout a national game fish and prohibiting its commercial sale.

**VOTES ON FINAL PASSAGE:**

House	71	23
Senate	43	4

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## SHCR 2

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### SHCR 2

By Committee on Local Government (Originally sponsored by Representatives Moon, Van Dyken, Dellwo, Lux and Tanner)

Calling for an interim study of the need for legislation regarding city-county consolidation.

House Committee on Local Government

Senate Committee on Local Government

#### BACKGROUND:

Article XI, Section 16, of our State Constitution allows the creation of combined city-counties. The procedure to establish a combined city-county is similar to establishing a county as a Home Rule charter county. A proposition is presented to the voters to authorize the election of a board of freeholders, and at the same time the freeholders are elected. If the proposition is not approved, the freeholder elections are null and void. If the proposition is approved, the freeholder elections stand. The freeholders draft a proposed combined city-county charter which is presented to the voters. If the charter is approved, the combined city-county is established. The proposed charter must delineate the powers and duties of all units of local government within its boundaries, and may retain or otherwise provide for such units of local government. No legislation exists concerning combined city-counties.

No combined city-county has been formed. A proposed effort to create a combined city-county in Clark County was recently defeated by the voters.

#### SUMMARY:

The House and Senate Local Government Committees shall study the need for legislation relating to city-county consolidation efforts, including the need for formulas to distribute state-levied, locally-shared revenues. The existence of an Attorney's General opinion on this subject is recited as having caused confusion concerning the formation of combined city-counties. The results and recommendations shall be reported no later than December 1, 1983.

Future Obligation: The House and Senate Local Government Committees shall prepare a study not later than December 1, 1983.

#### VOTES ON FINAL PASSAGE:

House	85	11
Senate	41	7

### HCR 3

By Representatives Charnley, Isaacson, Hine, Hankins, Hastings and Sanders

Continuing the Joint Ad Hoc Committee on Science and Technology

House Committee on State Government

Senate Committee on Energy & Utilities

#### BACKGROUND:

In early 1978 the Washington State Legislature applied for and received a matching grant from the National Science Foundation (NSF) for planning a science and technology information system to serve the needs of the legislature. At that time, NSF was funding programs in many states to enhance legislatures' capabilities for dealing with complex scientific or technical aspects of policy issues.

The Joint Ad Hoc Science and Technology Planning Committee developed proposals for a science and technology information system, and in 1980 the Committee applied for a further matching grant from NSF to implement these proposals. The grant was awarded, and in 1981 the Joint Ad Hoc Committee on Science and Technology was re-established in order to begin implementing the information system on a pilot basis.

Original plans called for in-house staff specializing in providing scientific or technical information to the legislature. However, when it became apparent that the federal funding for this program would not continue indefinitely, the Ad Hoc Committee made a decision to contract with the Graduate School of Public Affairs at the University of Washington for professional services. Under the agreement with the University, effective from February 1, 1982, through April 30, 1983, the Graduate School of Public Affairs would supply the legislature with information on scientific and technical issues, as coordinated through the Joint Ad Hoc Committee.

The standing committee leadership and staff were polled by the Ad Hoc Committee for suggestions of

topics on which the legislature needed scientific or technical information. The Joint Ad Hoc Committee then selected the state's water resources as the topic for further study during the pilot phase of the project. With the help of the staff person supplied by the University, the scope of the study was narrowed down to focus on the issue of conservation of irrigation water. The University staff person has worked under the direction of the Joint Ad Hoc Committee and is currently completing his report to them on this topic.

The Joint Ad Hoc Committee included four members appointed by the Speaker of the House of Representatives and four appointed by the President of the Senate, with equal representation of each party.

Besides the demonstration project of the science and technology information system, the Joint Ad Hoc Committee has also conducted legislative workshops on scientific and technical topics: One on nuclear waste disposal at Richland in October, 1979; and one on the use of computers in September, 1982.

#### SUMMARY:

The Joint Ad Hoc Committee on Science and Technology is re-established for the current legislature.

The Committee is directed to conclude the demonstration project of the science and technology information system by April 30, 1983, and to evaluate the project within ninety days afterwards. The Committee will continue implementing plans adopted by the 1980 Joint Ad Hoc Committee on Science and Technology for providing information to legislators on scientific and technical issues, and it will consider the best means of meeting the legislature's needs in this area.

The Committee is given the power to appoint a technical advisory committee, and is granted resources as approved by the House Executive Rules Committee and the Senate Facilities and Operations Committee.

Future Obligation: During the 1984 Regular Session, the Joint Ad Hoc Committee on Science and Technology will issue a report to the legislature recommending the best means of meeting the legislature's needs in considering issues and problems of a scientific or technical nature.

#### VOTES ON FINAL PASSAGE:

House	93	0	
Senate	39	0	(Senate amended)
House	96	0	(House concurred)

## SHCR 6

By Committee on Commerce & Economic Development (Originally sponsored by Representatives Tanner, B. Williams, J. King, Ebersole, Monohon, Van Dyken, West, Stratton, Haugen, Egger, Galloway, Fisch, Sayan, Belcher, Powers, Pruitt, Vekich, Charnley, Broback, Hine, Halsan, Tilly, Brekke, Garrett, Lewis, Todd and Ristuben)

Establishing the emergency commission on economic development and job creation.

House Committee on Commerce & Economic Development

Senate Committee on Ways & Means

#### BACKGROUND:

There has been considerable concern that the state's economic development efforts have not been sufficient to deal with the problems of unemployment and the over reliance on a few sectors of the economy. At the legislative Economic Development conference, it was recommended that the state develop a commission to review a wide variety of economic development approaches. Other states have initiated similar studies and commissions to carefully consider state economic development efforts in areas of regulation, expenditure and tax policy. These studies have often become a major impetus to form and enact innovative efforts to stimulate state investment and job creation.

#### SUMMARY:

The Emergency Commission on Economic Development and Job Creation is created. This twenty-two member commission is required to analyze and report on the state's current economic problems and to suggest recommendations for creating jobs and to aid economic recovery in the state. The commission is requested to review the appropriate state role in economic development, the lack of capital to needy businesses and lagging areas of the state, industries and jobs expected to be in decline, labor force availability and trends,

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## SHCR 6

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methods to ensure public accountability in economic development programs and ways to strengthen and support current businesses in the state.

The commission's members, appointed by the speaker of the House and the majority leader of the Senate, include: eight members of the legislature including two members from each political party in the House of Representatives and Senate; one representative each from small, medium and large businesses; two from labor, agriculture, and education; one representative from a major financial institution; three from the general public, and the executive director of the state investment board. At least two members of the commission shall be from each of the state's congressional districts.

Agency or Committee Created/Eliminated The Emergency Commission on Economic Development and Job Creation is established.

### VOTES ON FINAL PASSAGE:

House	95	0	
Senate	36	13	(Senate amended)
House	97	0	(House concurred)

**SSB 3006**

C 117 L 83

By Committee on Parks and Ecology (Originally sponsored by Senators Bluechel, Williams, Fuller and Hurley)

Revising the state environmental policy act.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

**BACKGROUND:**

Since the State Environmental Policy Act of 1971 (SEPA) was enacted, there has been debate as to its accomplishments and problems. There has been no comprehensive legislative review of SEPA and its implementing rules, however, in the 12 years since it was enacted.

The 1981 Legislature established the Environmental Policy Commission, composed of four members of the Senate, four members of the House, two representatives of industry, two representatives of the environmental community, one representative of cities, and one representative of counties. The Commission was instructed to report to the Senate Parks and Ecology Committee and the House Natural Resources and Environmental Affairs Committee during the 1983 regular legislative session. A large citizens advisory committee was established by the Commission with subcommittees on Technical Contents, Environmental Impact Statements, Technical Guidelines, Legal and Process.

The Commission's proposals can be viewed as having three goals:

1. Reducing unnecessary paperwork, duplication and delay.
2. Simplifying requirements and making the process more predictable.
3. Improving the quality of environmental decisionmaking.

The Commission developed a consensus recommendation, which was adopted by Commission members on December 13, 1982.

**SUMMARY:**

An environmental impact statement (EIS) is required only when a proposed action has a probable significant impact. An impact statement

is required to discuss and analyze only those environmental impacts which are likely to occur and could degrade environmental quality. An EIS may discuss probable significant beneficial environmental impacts.

Every agency is required to determine the scope of every EIS by consulting with agencies and the public. If a proposal only has two or three significant impacts, the EIS would only be required to analyze these impacts.

An action shall be considered by law not to have a significant environmental impact if it is categorically exempted in the State Environmental Policy Act (SEPA) rules contained in the Washington Administrative Code.

Agencies are authorized to write environmental impact statements in a more logical and readable fashion by combining the various subjects which the statute requires to be discussed in an impact statement.

The sunset clause is removed from the provision that allowed decisions pertaining to application for Class I, II and III forest practices to be exempt from EIS requirements.

If an agency conditions or denies a proposal, the agency must identify the environmental impacts in its environmental documents. The agency must state any conditions in writing. An agency may condition a proposal to avoid or reduce (mitigate) environmental impacts.

Any appeal shall be linked to a specific governmental action. SEPA is not intended to create a cause of action unrelated to a specific governmental action.

Appeals under SEPA are of the governmental action together with its accompanying environmental determinations. Appeals of environmental determination must be commenced within the time required to challenge the governmental action which has been the subject of environmental review.

If an agency decides to have an appeals process, it must include specific provisions that streamline local agency and state agency appeals, reduce multiple layers of appeal and consolidate the substantive and procedural issues as much as possible under SEPA. Exhaustion of administrative remedies is required.

The "notice of action", created under SEPA, may be used and its publication requirements met

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**SSB 3006**

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within the time period for commencing an appeal on the underlying action, if there is one.

Appeals are required to be on the record. Either a taped or written transcript may be used. An optional appeal may be made to the Shorelines Hearing Board.

The court in its discretion may award reasonable attorney's fees of up to \$1,000 in the aggregate to the prevailing party, if the court makes specific findings that the legal position of a party is frivolous and without reasonable basis.

Revised rules will be issued and adopted by the Department of Ecology. The department will have the responsibility for independent promulgation of rules, assuring consistency with SEPA as amended and with the preservation of protections afforded by the act. These rules will be accorded substantial deference in the interpretation of SEPA.

The types of actions included as categorical exemptions in the rules shall be limited to those types which are not major actions significantly affecting the quality of the environment.

The establishment of a list of elements of the environment is required. Environmental analysis may only be required under SEPA for those subjects listed as elements of the environment. The list is divided into two groups: the natural and the built environment. The natural environment relates to natural resources and the built environment relates to more urban elements.

The Department of Ecology is required to conduct annual statewide workshops and to publish annually a SEPA handbook or supplement to assist people in carrying out the act and rules.

There is a severability clause.

Provisions regarding the conditioning and denying of proposals based on SEPA policies and those regarding appeals apply only prospectively. Provisions that deal with the interpretation of the law may be applied retrospectively.

Rule Making Authority: The act delegates new rule making authority to the Department of Ecology.

Future Obligation: The Department of Ecology shall conduct annual statewide workshops and publish an annual State Environmental Policy Act handbook or supplement.

**VOTES ON FINAL PASSAGE:**

Senate 42 6  
House 85 13

EFFECTIVE: April 23, 1983  
October 20, 1983 (Section 3)

**SSB 3007**

C 118 L 83

By Committee on Judiciary (Originally sponsored by Senators Williams and Moore)

Modifying provisions relating to sexual offenses.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

A recent study in another state revealed that 14 percent of the women who have ever been married have been raped by a husband or ex-husband. In Washington, a husband's forced sexual assault of his wife is not a crime. Eleven states have passed laws abolishing the marital defense to rape.

**SUMMARY:**

The marital defense to rape is removed for first and second degree rape.

**VOTES ON FINAL PASSAGE:**

Senate 30 18  
House 93 2

EFFECTIVE: July 24, 1983

**SB 3009**

C 73 L 83

By Senators Williams and Moore

Modifying provisions relating to the use of deadly weapons.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

First degree rape, a class A felony, may be committed through the use or threatened use of a deadly weapon. In *State v. Hentz*, the Court of Appeals held that the Legislature did not intend to punish, as first degree rape, the display of a fake pistol during the commission of the assault.

**SUMMARY:**

First degree rape may be charged when the defendant uses either a deadly weapon or what appears to be a deadly weapon.

**VOTES ON FINAL PASSAGE:**

Senate	43	4
House	96	0

EFFECTIVE: July 24, 1983

**SB 3018**

C 121 L 83

By Senators Thompson, Zimmerman and Bauer

Modifying provisions relating to the subdivision of land.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

The 1982 Legislature made changes in the Platting and Subdivision Act. Two bills were passed (HB 323 and HB 320) creating double amendments which must be corrected.

**SUMMARY:**

Double code amendments are corrected in the Platting and Subdivision Act.

The provision which requires the legislative body to approve a final plat meeting the requirements of the chapter within three years of the date of preliminary plat approval is amended. The three year time period is applied retroactively to any preliminary plat that is pending before a legislative body and the legislative body may extend the time period by ordinance.

The time period may be extended without obtaining the consent of the applicant.

The class of property owners who have standing to contest any decision approving or disapproving a plat is narrowed. Instead of allowing the action to be brought by any property owner in the city, town, or county, the class of people with standing is limited to the applicant or owner of the property on which the subdivision will be located, adjacent landowners (located within 300 feet of any boundary of the subdivision), and any person who will suffer direct and substantial impacts from the subdivision.

**VOTES ON FINAL PASSAGE:**

Senate	41	5
House	95	0

EFFECTIVE: July 24, 1983

**SSB 3022**

C 239 L 83

By Committee on Judiciary (Originally sponsored by Senators Talmadge, Hemstad and Hughes, and By Department of Labor and Industries Request)

Clarifying the Crime Victim Compensation Act.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

Last year the Legislature restored the Crime Victims' Compensation Program. Experience with the legislation has uncovered some ambiguities. The Department of Labor and Industries has requested clarification of the act.

The Crime Victims' Compensation Act authorizes the payment of benefits to victims of criminal acts from penalties assessed against persons convicted of felonies or gross misdemeanors. The penalty is also assessed upon forfeiture of bail.

Prosecuting attorneys are given the option of developing a local plan for victim/witness programs. They cannot be given funding for the programs until the program is approved by the Department of Labor and Industries. The prosecutors need a reserve of funding before they can institute their programs.



**SSB 3022**

Burial expenses are limited to \$500 for some claims but are unlimited for others. There is a general \$200 deductible provision but it applies only to claims by a victim, not to claims by survivors. Although benefits, such as lost wages, are paid to claims arising between July 1, 1981 and January 1, 1983, payments for medical aid, such as hospital expenses, are not allowed.

**SUMMARY:**

The assessment is charged on each cause of action, not on each count in a cause of action. If a multiple count conviction includes only misdemeanors, the assessment is \$25. If a multiple count conviction includes any felony conviction, the assessment is \$50. The assessment in juvenile dispositions may be modified upon motion and a showing of good cause. The provision for taking the assessment out of any forfeited bail applies to persons convicted of crimes.

Prosecutors are given one year to obtain department approval of a comprehensive victim/witness program. If approval is not gained within one year, all monies, including interest, held locally pending approval must be sent to the state. In any county west of the Cascade Mountains with a city of over 150,000, the proposed county victim witness program must be submitted to that city for review and comment. The department will consider if the county's proposal meets the needs of the victims of all the varying jurisdictions within the county.

Burial expenses are limited to \$500 on all claims. The \$200 deductible applies to all claims, those by survivors as well as those by victims. Medical aid will be extended to criminal acts committed between July 1, 1981 and January 1, 1983.

The definition of criminal act is expanded to include cases of vehicular homicide and vehicular assault where convictions have been obtained. Victims of such criminal acts, or their survivors, are eligible for crime victims' compensation.

**VOTES ON FINAL PASSAGE:**

Senate	44	0	
House	96	0	(House amended)
Senate			(Senate concurred in part)
<u>Free Conference Committee</u>			
House	96	0	
Senate	46	0	

EFFECTIVE: July 24, 1983

**SSB 3026**

C 205 L 83

By Committee on Energy and Utilities (Originally sponsored by Senators Hurley and Bauer)

Authorizing the state patrol to prohibit transportation of hazardous and radioactive cargo during adverse weather conditions.

Senate Committee on Energy and Utilities

House Committee on Energy and Utilities

**BACKGROUND:**

Accidents involving hazardous substances have occurred in the past. Vehicles carrying radioactive cargo have been detained on numerous occasions at State Patrol checkpoints because of defective equipment. Adverse weather conditions can pose additional risks to the public located in communities along frequented routes. Restricting movement of vehicles carrying hazardous materials or radioactive waste during adverse weather may provide an added measure of public protection.

**SUMMARY:**

The Washington State Patrol may prohibit the transport of radioactive or hazardous cargo over the highways of the state when adverse weather or other conditions pose a threat to public safety.

Rule Making Authority: The act delegates new rule-making authority to the Department of Transportation for promulgating notification procedures for transporters of hazardous materials as to when travel is prohibited.

**VOTES ON FINAL PASSAGE:**

Senate	39	7	
House	95	0	(House amended)
Senate	38	8	(Senate concurred)

EFFECTIVE: May 16, 1983

**SSB 3034**

C 240 L 83

By Committee on Commerce and Labor (Originally sponsored by Senator Rinehart)

Modifying provisions relating to consumer warranties.

Senate Committee on Commerce and Labor

House Committee on Judiciary

**BACKGROUND:**

Currently there is no comprehensive consumer warranty act in Washington State. The Unfair Business Practices Act prohibits unfair or deceptive acts or practices in the conduct of any trade or commerce. The Uniform Commercial Code and the Magnuson/Moss Warranty Act provide some relief to consumers who have suffered damage as a result of breach of warranty.

With limited exceptions, manufacturers who sell goods in the state are not required to maintain in-state service and repair facilities.

**SUMMARY:**

Manufacturers who sell motor vehicles in this state under express warranty are required to operate, or designate others to operate, repair facilities in the state to provide customer service. These facilities must be located reasonably close to where products are sold.

If a motor vehicle does not conform with the terms of an express warranty, the manufacturer or its representative is required to commence repair within a reasonable period of time.

Unless otherwise agreed to by the buyer, a vehicle must be repaired to conform with the applicable warranty within 30 days. If a delay is beyond the control of the manufacturer or the authorized representative, the 30 day time period may be extended. The cumulative 30 day period given manufacturers to service or repair motor vehicles does not include periods in which the buyer has been provided with a comparative replacement vehicle by the dealer or manufacturer.

Where a manufacturer or its representative is unable to repair a vehicle to conform with the express warranty after a reasonable number of attempts, the manufacturer must reimburse the

buyer an amount equal to the purchase price minus the value of the use the buyer had enjoyed prior to the discovery of the nonconformity.

A new motor vehicle which: a) has been subject to repair four or more times due to the same nonconformity; or b) is out of service by reason of repair for more than a cumulative total of more than 30 days since delivery to the buyer, is presumed to have been subject to a reasonable number of attempts and merits reimbursement.

Where the manufacturer has established an informal dispute resolution settlement procedure which complies with federal law, the buyer must first resort to such procedure.

Buyers may not claim reimbursement if the nonconformity of the warranty is the result of the buyers' abuse, neglect, or alteration.

**VOTES ON FINAL PASSAGE:**

Senate	34	13	
House	75	23	(House amended)
Senate	27	17	(Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3035**

C 231 L 83

By Committee on Ways and Means (Originally sponsored by Senators McDermott, Gaspard, Bender and Hughes)

Directing preparation of a comprehensive plan for the maintenance and repair of the state's public works and appropriating funds for the plan.

Senate Committee on Ways and Means

House Committee on Commerce and Economic Development

**BACKGROUND:**

Economic expansion requires a strong and healthy public infrastructure (basic public works facilities such as roads, bridges, water and sewer systems, etc.). Industry cannot expand without adequate water and sewer systems and well-maintained roads, bridges and mass transit systems to get its employees to work and its goods to market.

Business Week (October 26, 1982) reported that more than 8,000 miles of the interstate highway system's 42,500 miles and 13 percent of its bridges need to be rebuilt. Over \$500 billion during the 1980s will be needed just to maintain current service levels on roads and highways that are not part of the interstate system. Two out of every five bridges in the country are deficient and in need of rehabilitation. More than \$31 billion needs to be invested in sewer systems and wastewater treatment plants. Over \$110 billion needs to be spent over the next two decades just to maintain water systems.

Washington State does not currently have a comprehensive public works plan that addresses current and future infrastructure needs.

SUMMARY:

The Planning and Community Affairs Agency (PCAA) is to prepare a comprehensive plan for the replacement and repair of the state's public works. Included are to be roads, bridges, sewers, dams, state parks and recreational facilities, and water systems. Cost estimates for maintenance and repair work are to be developed as well as examining approaches to funding.

PCAA is to coordinate its efforts with other federal, state and local agencies. Existing studies are to be used where available.

Future Obligation: The Planning and Community Affairs Agency is directed to present part of its plan to the Legislature no later than July 1, 1983. The remaining portion of the plan is to be presented by December 31, 1983.

Appropriation: \$35,000 (for the Planning and Community Affairs Agency).

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	55	43	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: May 17, 1983

SB 3036

C 2 L 83

By Senators Talmadge and Clarke (by Code Reviser Request)

Correcting various double amendments in the Revised Code of Washington.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

Various sections of the Code were amended more than once by separate bills during the 1982 legislative session.

SUMMARY:

Technical corrections are made to various code sections of the law which were amended twice during the 1982 legislative session. The code sections involved related to the following subject matters:

- 1) Health Care: relating to the administration of oral medication to students and the administration of nondental anesthesia (RCW 18.71.030).
- 2) Licensure of Veterinarians: relating to the creation of a Washington state veterinary board of governors (RCW 18.92.021).
- 3) Cigarette Sales: relating to the unfair cigarette sales act and the state master license system (RCW 19.91.010).
- 4) Cigarette Sales: relating to the unfair cigarette sales act and the state master license system (RCW 19.91.130).
- 5) Cigarette Sales: relating to the unfair cigarette sales act and the state master license system (RCW 19.91.150).
- 6) Foreign Corporations and Foreign Agricultural Cooperative Associations: relating to compliance procedures for corporations and associations (RCW 23A.32.050).
- 7) Education: relating to the board of directors' powers in a school district of the first class (RCW 28A.59.180).

- 8) Administrative Rules: relating to the contents of the Washington State Register (RCW 34.08.020).
- 9) State Employees' Insurance: relating to contributions to the insurance and health care plans for the state's employees and their dependents (RCW 41.05.050).
- 10) License Fees: relating to the licensing or registration of professions, occupations, or businesses, administered by the business and professions administrations in the Department of Licensing (RCW 43.24.080).
- 11) State Government: relating to the creation of a tax advisory council (RCW 43.38.010).
- 12) Motor Vehicle Offenses: relating to the record of traffic charges (RCW 46.52.100).
- 13) Industrial Insurance: relating to compensation under industrial insurance provisions (51.32.040).
- 14) Horse Racing: relating to the disposition of gross receipts generally and relating to exotic races (RCW 67.16.180), and the disposition of these receipts.
- 15) Controlled Substances: relating to the seizure and forfeiture of controlled substances (RCW 69.50.505).
- 16) State Lands: relating to timber sales (RCW 79.01.132).
- 17) State Lands: relating to the sale of state lands by the Department of Natural Resources (RCW 79.01.184).
- 18) Taxation: relating to the taxing authority of island library districts, solid waste disposal districts, and cultural arts and convention districts (RCW 84.52.052).
- 19) Crimes: repealing sections relating to crimes involving firearms (RCW 9.41.025).

VOTES ON FINAL PASSAGE:

Senate 47 0  
House 94 0

EFFECTIVE: February 3, 1983  
July 1, 1984 (Sections 17 and 20)

**SB 3037**

C 3 L 83

By Senators Talmadge and Clarke (by Code Reviser Request)

Correcting obsolete statutory references in the Revised Code of Washington.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

Numerous enactments over the years have included references to state statutes which have contained obsolete terminology or been repealed.

SUMMARY:

231 sections of the Revised Code of Washington are amended to correct references to state statutes which have been repealed. In most cases, the references to the repealed statute have been deleted or replaced with references to a later enactment which contains the substance of the repealed statute. In those instances in which the section containing the obsolete reference has no current effect or vitality, the section has been repealed or decodified. In addition, various obsolete references to state agencies are corrected to reflect current nomenclature.

VOTES ON FINAL PASSAGE:

Senate 47 0  
House 94 0

EFFECTIVE: February 3, 1983

**SB 3038**

C 4 L 83

By Senators Talmadge and Clarke (by Code Reviser Request)

Correcting obsolete statutory references to the utilities and transportation commission.

Senate Committee on Judiciary

House Committee on Judiciary

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**SB 3038**

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**BACKGROUND:**

Through a series of statutory enactments the powers and duties of the Department of Public Works, the Department of Public Service, and the Department of Public Utilities have devolved upon the Utilities and Transportation Commission.

**SUMMARY:**

Statutory references to obsolete agencies are changed to refer to the Utilities and Transportation Commission.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 94 0

EFFECTIVE: February 3, 1983

**SB 3039**

C 5 L 83

By Senators Talmadge and Clarke (by Code Reviser Request)

Rearranging misplaced statutory material and correcting a clerical error.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

Statutory language relating to lump sum payments for deferred annual sick leave was inadvertently misplaced during consideration and passage of Engrossed Senate Bill 4640 in 1982.

An error in engrossing an amendment to Engrossed Substitute Bill 3704 in 1981 resulted in the word "proscribed" to appear where "proscribed" had been used in the original amendment.

**SUMMARY:**

Misplaced language in SB 4640 relating to lump sum payments for deferred annual sick leave is restored to its proper place. The error in language in SB 3704 is corrected by substituting the word "proscribed" for "prescribed."

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 94 0

EFFECTIVE: February 3, 1983

**SSB 3042****FULL VETO**

By Committee on Education (Originally sponsored by Senators Bottiger, McDermott, Goltz, Bauer, Vognild, Gaspard, Talmadge, Wojahn, Warnke, Lee and Rinehart)

Regulating labor relations in institutions of higher education.

Senate Committee on Education

House Committee on Labor

**BACKGROUND:**

There are currently several statutes granting the right of collective bargaining to public employees. County and municipal employees, as well as K-12 teachers, have this right. Academic employees at the community college level have the right to "meet and confer." It is argued that the boards of trustees at community colleges should be required to "bargain in good faith" rather than "meet and confer" and that faculty members of the state's four-year universities should be granted the right to collectively bargain in order to provide for the orderly processing of labor disputes at such institutions.

**SUMMARY:**

Employees of higher education institutions are granted the right to organize for bargaining purposes. They are entitled to bargain over wages, hours, and other terms and conditions of employment. The employer and employees are required to bargain in good faith. The Public Employment Relations Commission (PERC) is empowered to prevent unfair labor practices, as defined.

PERC is granted the authority to determine the appropriate bargaining unit and to certify the exclusive bargaining representative after a secret ballot election. All employees who are tenured or eligible to seek or be awarded tenure are to be

included in the same bargaining unit at each institution of higher education.

The employer and bargaining representative are authorized to include a provision for an agency shop in the bargaining agreement. The bargaining representative is authorized to require the employer to automatically deduct a fee equivalent to dues. Employees may pay a fee equivalent to dues to a nonreligious charity based on their personal religious tenets or teachings of a church of which the employee is a member.

Chief executive or administrative officers, supervisors, confidential employees and casual employees, including medical residents and graduate students, are exempted from employees granted the right to bargain.

Either the employer or bargaining representative may request mediation and/or fact-finding. Arbitration is authorized for disputes over interpretation of the contract.

PERC is granted the rule making authority necessary to implement the chapter.

Existing lawful agreements between an employer and an employee organization are binding.

Collective bargaining agreements with provisions which require legislative action or appropriation are not effective until such action or allocation has been taken or made. However, the parties may agree that non-budgetary provisions will take effect regardless of whether funds are approved by the Legislature.

Collective bargaining agreements may contain provisions which provide for an increase of wages, salaries, or other benefits if such increase is based on an increased legislative appropriation.

Existing laws regarding community college negotiations are repealed.

Rule Making Authority: The bill delegates new rule making authority to the Public Employment Relations Commission.

VOTES ON FINAL PASSAGE:

Senate	28	21	
House	51	45	(House amended)
Senate	27	20	(Senate concurred)

EFFECTIVE: FULL VETO

(See VETO MESSAGE)

**SSB 3043**

C 122 L 83

By Committee on Institutions (Originally sponsored by Senator McCaslin)

Providing for notification to law enforcement agencies of institutional furloughs.

Senate Committee on Institutions

House Committee on Social and Health Services

BACKGROUND:

Appropriate law enforcement officers must be notified at least 48 hours prior to an inmate being released from a correctional institution on a furlough.

There is no such notification requirement for the superintendents of state mental hospitals before criminally insane persons are furloughed.

SUMMARY:

Superintendents of institutions designated for the care of the criminally insane must notify appropriate law enforcement agencies, via the State Patrol communications network, 48 hours prior to a furlough of a criminally insane person. For emergency furloughs the notification must be prior to the departure.

If a criminally insane person escapes from an institution or disappears while on conditional release, the superintendent of the institution must notify local law enforcement officers, other governmental agencies, the person's relatives, and any other appropriate person about information which is either necessary to safeguard public safety or to assist in the apprehension of the escapee.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: April 23, 1983

**SSB 3052**

C 123 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild and Newhouse) (By Department of Labor and Industries Request)

Revising elevator laws.

Senate Committee on Commerce and Labor

House Committee on Labor

**BACKGROUND:**

JURISDICTION

The Department of Labor and Industries has the responsibility for setting safety standards for conveyances. Conveyances include elevators, escalators, dumbwaiters, belt manlifts, and moving walks. The Department also has the responsibility for inspecting both publicly and privately owned conveyances throughout the state, except in cities which have their own elevator code. Local codes must equal standards set forth in state law. If a city adopts its own code it may assume jurisdiction over privately owned conveyances, but not publicly owned. Therefore, the state has jurisdiction over conveyances which are both located within and owned by a city. Seattle and Spokane are the only two cities which have adopted their own code.

There have been disagreements in the past over whether the elevator codes adopted by Seattle and Spokane contain safety standards which are equal to those set by the Department. There is currently no specific method for resolving these disputes and the Department maintains that without some alternative such as arbitration, a lawsuit could result.

Current law provides that a city which has its own elevator code may elect to transfer jurisdiction over certain conveyances to the Department. Cities are not prohibited from reasserting jurisdiction at a later date.

ENFORCEMENT

The Department believes that their current enforcement powers are ineffective. The current penalty for violating the elevator code is a misdemeanor. The Department's experience has been that prosecutors are reluctant to bring criminal

charges because they have more serious cases to handle. Other enforcement powers which the Department currently has include: a) ordering the operation of a conveyance discontinued if an inspection shows it to be in an unsafe condition (red tag); b) revoking a permit in the interests of safety after notice and opportunity for hearing; and c) enjoining the operation of a conveyance when it is being operated without a permit. While the Department has not had any serious enforcement problems to date, its experience gained from administering other safety codes has prompted it to ask for additional enforcement powers.

ADMINISTRATION

Responsibility for the administration of the elevator code has been transferred within the Department from the Division of Industrial Safety and Health to the Building and Construction Safety Inspection Services. Obsolete references to the Industrial Safety and Health Division remain in the law.

**SUMMARY:**

JURISDICTION

Jurisdiction over elevators located within and owned by a city having an elevator code is transferred from the state to the city.

If a city transfers jurisdiction of certain conveyances located within its boundaries to the state, it cannot reassume jurisdiction.

Arbitration is provided for disputes arising between cities with their own elevator code and the Department regarding whether city codes meet state standards. In the event of a dispute, three arbitrators are appointed, one each from the city and Department, with the third selected by the arbitrators chosen by the city and Department. The decision of the arbitrators is final and no appeal to any court is allowed. Either party to the arbitration may petition the Thurston County Superior Court for enforcement of the decision.

ENFORCEMENT

The Department is given the power to suspend or revoke a permit if: a) it was obtained through fraud or error; b) the conveyance has not been constructed, installed, maintained, or repaired in accordance with state law; or c) the conveyance has become unsafe. Notice is given to the owner or the person installing the conveyance of the reasons for suspension or revocation and that a hearing may be requested. If a permit was

granted due to fraud or error and a hearing is requested, the suspension or revocation is stayed pending the hearing. In all other cases the request for a hearing does not stay the suspension or revocation. However, the Department will remove a suspension or revocation if the conveyance is repaired or modified to bring it into compliance with state law.

The Department retains the power to "red tag" or order the operation of a conveyance to be immediately discontinued if it has not been constructed, installed, maintained or repaired in accordance with state law or has otherwise become unsafe. The owner or operator is given the opportunity to request a hearing, however, a request does not stay the Department's order. The Department will rescind its "red tag" order if a conveyance is fixed or modified to bring it into compliance with state law.

Persons aggrieved by an order of the Department have the right to a hearing before an administrative law judge. A hearing must be requested within 15 days after receipt of notice of the Department's action, or the action is considered final and no further appeal may be taken. The party requesting the hearing must accompany the request with a check for \$200. This money will be refunded if the party requesting the hearing prevails. If the Department prevails, the money will be retained by the Department.

Criminal misdemeanor penalties are retained. The \$250 ceiling on the misdemeanor fine is removed and the Department is given the authority to fine violators in an amount not to exceed \$500 for each violation. Each day that a violation occurs is considered a separate violation and is subject to a separate penalty. The Department is precluded from assessing penalties until it adopts rules describing the method it will use to calculate penalties for various violations. Any person objecting to the penalty may ask for a hearing, however, that request does not stay the penalty.

The Department is also given the power to issue subpoenas, issue cease and desist orders, and administer oaths. The Attorney General is given the authority, when requested by the Department, to: 1) file suit to collect penalties; 2) seek civil injunctions, show cause orders, or contempt orders against any person that repeatedly violates a provision of this chapter; 3) seek ex parte inspection warrants; 4) file suit to enforce cease and

desist orders or subpoenas; and 5) take other necessary and appropriate legal action needed to enforce the elevator code.

All lawsuits will be brought in the county in which the defendant resides or transacts business. In any lawsuit, the Department may ask for attorneys' fees and costs. If the Department prevails, the court is directed to award them.

#### ADMINISTRATION

Obsolete references to the Industrial Safety and Health Division are removed.

#### VOTES ON FINAL PASSAGE:

Senate	42	3
House	92	0

EFFECTIVE: July 24, 1983

## SSB 3053

C 74 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild and Newhouse)  
(By Department of Labor and Industries Request)

Authorizing fees for and continuing the contractors registration program.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

#### BACKGROUND:

The Department of Labor and Industries is responsible for registering contractors in Washington State. Any person is entitled to register as a contractor upon posting a bond, furnishing evidence of public liability and property damage insurance, and payment of a registration fee.

The current fee for a certificate of registration is \$20. The certificate must be renewed annually. The Department is not authorized to charge for reinstatement of a certificate that has been suspended, or for name changes and duplicate certificates. The Department is requesting the authority to establish these fees by rule in order to cover the full cost of administering the contractor registration program and enforcing compliance.



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**SSB 3053**

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The contractor registration program is scheduled for termination on June 30, 1983. The sunset audit performed by the Legislative Budget Committee recommended that the program be continued and also that the Department raise its fees in order to more effectively enforce compliance with the law.

**SUMMARY:**

The Department is authorized to establish fees by rule for: 1) the issuance, renewal and reinstatement of certificates of registration; and 2) changes of name, address or business structure. The fees must cover the full cost of performing the various services and the overall cost of administering and enforcing the contractor registration law. However, the fee for the issuance or renewal of a certificate of registration may not exceed \$50.

The scheduled sunset termination of the contractor registration program is repealed.

**VOTES ON FINAL PASSAGE:**

Senate	40	2
House	95	0

EFFECTIVE: July 24, 1983  
June 29, 1983 (Section 3)

**SSB 3054**

C 124 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild and Newhouse) (By Department of Labor and Industries Request)

Revising certification of plumbers.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

**BACKGROUND:**Fees

Fees for the plumber examination and the certificate of competency are set by statute at \$25. There is no charge for the initial certificate. The funds collected from these fees are not sufficient to administer the plumber licensing law, according

to the Department of Labor and Industries which is responsible for its administration.

Renewals

Certificates are renewed on a yearly basis by July 1. This creates a work load problem for the Department and temporary personnel must be hired. In order to even out the work load and keep fees as low as possible, the Department is requesting the authority to issue licenses every other year for a two year period and make them renewable on the birthdate of the holder.

Under current law, if a plumber's certificate is not renewed before the expiration date, the plumber must retake the exam in order to be certified.

Enforcement

Current law allows the Attorney General or county prosecutor to bring a civil action against an unlicensed plumber. The Department has found this procedure to be costly, cumbersome and ineffective.

Miscellaneous

Current law allows local enforcement agencies certified by the state to administer plumber examinations. The state is no longer certifying local agencies to give these tests.

Questions have arisen as to whether there is any limit on the number of times that a person may take the plumber's test. No limit exists in statute.

**SUMMARY:**Fees

Fees for the plumber's examination and the certificate of competency are set by rule. Also, a fee is charged for the initial certificate. The fees are to cover the full cost of issuing the certificates and permits, administering the examinations and administering and enforcing Chapter 18.106 RCW.

Renewals

The Department is authorized to issue licenses every other year and make them renewable on the birthdate of holders.

Persons who renew their certificates within ninety days after the renewal date must pay twice the regular fee, but do not have to retake the examination. Persons who renew their certificates after ninety days are required to retake the examination and pay the examination fee.

Enforcement

The Department is given the authority to issue infractions to persons who perform plumbing work without being licensed or without being supervised by someone who is licensed. The Department may inspect work sites at which plumbing work is being done and ask to see evidence of compliance with the licensing requirements. If evidence of compliance is not provided, the Department may issue a notice of infraction. Each day in which a person performs plumbing work in violation of state law is a separate infraction. Each work site at which a person performs plumbing work in violation of state law is a separate infraction.

The notice of infraction must be personally served. At the time of service the person is asked to sign the infraction which represents a promise to respond to the notice. Failure to sign the infraction is a misdemeanor.

A person who receives a notice of infraction is directed to respond within fourteen days. If the person does not want to contest the infraction, the person may respond by payment of the monetary penalty. If the person wants to contest the infraction, the person shall notify the district court and a hearing will be set. If a person fails to respond in one of these two ways, the court is directed to enter an order assessing the monetary penalty. Also, failure to respond to the notice of infraction as promised is a misdemeanor, regardless of the ultimate disposition.

District courts have jurisdiction over infractions. If a hearing is held, the person subject to the hearing is entitled to be represented by an attorney. The Department is represented by the Attorney General's Office. Hearings are held without a jury. The notice of infraction will be dismissed if the defendant proves that at the time the notice was issued, the defendant was registered with the Department or was exempt from registration.

The monetary penalty for an infraction is set at \$100. The court has the power to waive, reduce or suspend the penalty.

Existing civil enforcement remedies are repealed.

## VOTES ON FINAL PASSAGE:

Senate	46	0
House	97	0

EFFECTIVE: July 24, 1983

January 1, 1984 (Sections 4-16)

**SSB 3055**

C 206 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild and Newhouse) (By Department of Labor and Industries Request)

Revising electrical construction laws.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

House Committee on Labor

## BACKGROUND:

Electrician Licensing

## 1) Experience

Current law provides that no person may work in the electrical construction trade without being licensed as either a journeyman or specialty electrician. While journeymen are allowed to work in any area of the electrical construction trade, specialty electricians are only allowed to work within their particular specialty. Five specialty areas are set forth in the Washington Administrative Code and these include: residential, domestic appliances, pump and irrigation, limited energy system and signs.

A person is eligible to take the journeyman examination if he or she has four years experience under supervision of a journeyman or has completed an approved apprenticeship program. Supervision means working in a ratio of one journeyman to one trainee as of January 1, 1983. Also, persons learning the electrical construction trade are required to obtain a training permit and report their hours worked to the Department of Labor and Industries on a yearly basis. Department policy also allows a person who has four years of experience in the specialties to take the journeyman examination. Additionally, persons who complete a two-year technical school program may substitute that two years for two years of work experience under a journeyman electrician. An additional two years experience must be

obtained before the person is eligible to take the journeyman's examination.

A person is eligible to take the specialty electrician examination if he or she has two years experience in the particular specialty under the supervision of a journeyman or appropriate specialty electrician. The supervision and permit requirements are the same for a specialty as they are for a journeyman's license.

Questions have arisen over the meaning of the words "electrical construction trade." No definition exists in current law. These words have been interpreted at various times to mean only installation work, and at other times to mean both maintenance and installation work. The basic issue is whether persons who perform maintenance work for commercial businesses or industrial plants where they are employed, or persons who perform maintenance work on a contract basis can be considered to be working in the electrical construction trade.

## 2) Fees and Renewal

The fees for journeyman and specialty certificates are set by statute at \$15 a year. The fees for these examinations are also set by statute at \$15. The Department is asking for the ability to set these fees by rules.

There is currently no grace period in statute regarding the renewal of journeyman or specialty certificates. If the certificate is not renewed by the expiration date, the person must be retested in order to be recertified.

## Contractor Licensing

Current law requires that persons or firms engaged in the electrical construction business obtain a contractor's license. Prerequisites to obtaining a contractor's license are: a) filing of a bond, cash deposit or other negotiable security in the amount of \$3,000; b) designation of an administrator; and c) payment of the licensing fee.

Electrical contractor licenses are designated as either general or specialty. A listing of electrical contractor license specialties are currently found in the Washington Administrative Code and include residential, domestic appliance, pump and irrigation, limited energy system, and signs.

An electrical contractor's license may only be revoked or suspended for "gross and continued

violation." The Department has found that meeting this standard is very difficult and leaves it without any workable enforcement provisions.

Existing law provides that a license may be suspended or revoked without a hearing. An appeal is available to the Electrical Board of Appeals, but there is no provision that the filing of an appeal stays the revocation or suspension. Further, if a contractor wants to file a notice of appeal, it must be accompanied by a check in the amount of \$50. If the appeal is successful, the \$50 is returned.

## Administrator Licensing

A person is eligible to be an administrator by passing a test administered by the Department. Also, the grandfathering provisions in current law provide that anyone licensed by the state as an electrical contractor at any time during 1974 has the right to be issued an administrator's certificate without examination. Contractors licensed during 1974 are still using this provision to obtain certificates. The Department is having problems administering this portion of the law because it does not have good records that go back to 1974.

Current law provides little information on the functions of an administrator. The law only provides that an administrator must be a supervisory employee or member of the firm. The Department has adopted a rule in this area, but there is some question as to its enforceability without any specific statutory guidance.

No person may be designated as an administrator under more than one license. If the relationship between the administrator and the contractor is terminated, the contractor's license is void within 90 days unless another administrator is qualified. Concern has been expressed that 90 days is inadequate in the event of the death of the administrator.

Administrator certificates are valid for one year and currently must be renewed within 30 days after the expiration date. The Department believes that this grace period is too short, especially since if the certificate is not renewed within 30 days, retesting is necessary prior to recertification.

There have been some questions over whether the Department has the authority to limit the number of times that a person may take the administrator's test. It is recommended that language be included in statute which provides that no limit may be set.

Electrical Board of Appeals

The Electrical Board of Appeals has only been used once in recent years at great expense. The Department believes that transfer of the Board's functions to the Electrical Advisory Board and the Board of Electrical Examiners will result in more efficient administration.

Miscellaneous

Cities and towns may adopt their own electrical standards provided they are at least equal to state standards. There is no method for resolving disputes that may arise between cities and towns and the Department.

In a dispute over whether the correct state electrical standards are being used, any person may request a hearing before the Electrical Board of Appeals. The request must be accompanied by payment of \$50 which will be returned to the person requesting the hearing if the person is correct.

## SUMMARY:

Electrician Licensing

## 1) Experience

A person is eligible to take the journeyman examination if he or she has worked in the electrical construction trade a minimum of four years full time, of which two years experience must be in industrial or commercial electrical installation under the supervision of a journeyman. The additional two years experience may be in any one or a combination of the specialties under the supervision of a journeyman or appropriate specialty electrician, or it may be obtained in industrial or commercial electrical installation.

A new specialty certificate, entitled nonresidential maintenance, is created. All previously existing specialties as well as nonresidential maintenance are now included in statute. The requirements for qualifying to take the specialty examination remain unchanged.

A grandfathering provision is included for the nonresidential maintenance specialty which provides that prior to January 1, 1984, applicants are eligible to become a specialist in this area upon certification to the Department that they have the equivalent of two years full-time experience in nonresidential maintenance. The testing, supervision and permit requirements are waived during this time period.

An additional grandfathering provision is added to benefit those persons who have experience in nonresidential maintenance, but who have been precluded from counting this experience toward a journeyman's certificate. Persons applying for a journeyman certificate prior to January 1, 1984, are eligible to take the journeyman examination until July 1, 1984 upon certification to the Department that they have the equivalent of five years full-time experience in nonresidential maintenance, at least two years of which must be in industrial electrical installation. The supervision and permit requirements are waived during this time period.

"Electrical construction trade" is defined to include installation or maintenance of electrical wires of equipment. The inclusion within this definition of the word "maintenance" has the effect of requiring maintenance work to be performed by a licensed journeyman or specialty electrician. However, the exemption from licensing that exists in current law for employees working on the premises of their employer remains unchanged.

## 2) Fees and Renewal

The fees for journeyman and specialty examinations and certificates are to be set by rule. A person may take an examination as many times as necessary without limit.

A 90 day grace period is allowed in the renewal of a journeyman or specialty certificate before retesting is required. However, persons who renew within the 90 day grace period must pay twice the usual fee.

Contractor Licensing

A new specialty is created for electrical contractors entitled nonresidential maintenance. This specialty, as well as those listed in the Department rules, are set forth in statute.

A contractor's license may be revoked or suspended for "continued noncompliance."

The revocation or suspension of a contractor's license may be stayed by appeal. This is done by providing that any revocation or suspension is not effective for 15 days and allowing the contractor 15 days to file an appeal.

Due to the repeal of the Electrical Board of Appeals, appeals are to be heard before the Board of Electrical Examiners. The cost of an appeal is increased to \$200. If the appeal is successful, the \$200 is returned.

Administrator Licensing

The grandfather provision which allows electrical contractors licensed during 1974 to become administrators without examination is terminated effective January 1, 1984.

In the event of the death of an administrator, an electrical contractor has six months in which to qualify another administrator.

The 30 day grace period for renewal of the administrator's certificate is increased to 90 days. Persons renewing their certificate during this grace period must pay twice the regular fee.

A person may take the administrator's test as many times as necessary without limit.

Administrator duties are set forth in statute. An administrator must:

- 1) Ensure that all electrical work complies with the electrical installation laws and rules of the state;
- 2) Ensure that the proper electrical safety procedures are used;
- 3) Ensure that all electrical labels, permits, and licenses required to perform electrical work are used;
- 4) See that corrective notices issued by an inspecting authority are complied with; and
- 5) Be available during working hours to carry out the duties of an administrator under this section.

The administrator must also notify the Department in writing within ten days if the administrator terminates the relationship with the electrical contractor. The Department is precluded from changing the administrator's duties by rule.

Electrical Board of Appeals

The statute creating the Electrical Board of Appeals is repealed. The functions of the Board are transferred to the Electrical Advisory Board and Board of Electrical Examiners.

Miscellaneous

An arbitration procedure is created for disputes arising between cities and towns and the Department over whether the electrical wiring requirements of cities and towns are at least equal those set by the Department. The arbitration panel is composed of five persons. Two are selected by the Department from the Electrical Advisory Board,

two are selected by the city or town, and these four choose a fifth. If the four members cannot agree on a fifth person, the presiding judge of the superior court of the county in which the city or town is located chooses the fifth member. A decision of the arbitration panel is appealable to that same superior court within 30 days.

Disputes over whether a person is complying with the state's electrical codes will be resolved upon request by the Electrical Advisory Board. The cost of such hearing is increased to \$200.

VOTES ON FINAL PASSAGE:

Senate	39	9	
House	95	1	(House amended)
Senate	40	7	(Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3056**

C 2 L 83 E1

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild and Newhouse, and By Department of Labor and Industries Request)

Revising laws on enforcement of contractor registration.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

BACKGROUND:

The state requires the registration of any person, firm or corporation acting as a contractor. Prerequisites for registration include: (1) filing a surety bond with the Department of Labor and Industries in the amount of \$4,000 for a general contractor or \$2,000 for a specialty contractor; (2) providing evidence of public liability and property damage insurance in the minimum amounts of \$50,000 for injury to one person, \$100,000 for injury to two or more persons, and \$20,000 for damage to property; and (3) payment of the \$20 registration fee.

There has been some question raised as to whether the amount of the surety bond is sufficient

to protect the public as well as persons who furnish labor, materials and equipment. A study performed by the Legislative Budget Committee estimated that the bond amount was not sufficient to cover the claims made in 50 percent of the cases.

Also, there has been some question as to who could bring an action against the bond. Those questions were resolved by a recent Washington State Supreme Court decision which held that persons who furnished labor, materials or equipment to a contractor as well as the person for whom the work is being performed may bring an action against the bond.

Questions have arisen as to what types of assistance and information that the Department needs to provide to the public and the charge that can be made.

At the present time, it is estimated by the Department that 20 percent of the contracting work being performed in this state is done by persons who are not licensed as contractors as required by law. The Department's only avenue for enforcement is to file misdemeanor charges through county prosecutors' offices. The Department believes that this precludes timely and effective enforcement because of workload problems in those offices.

#### SUMMARY:

The surety bond required as a prerequisite to contractor registration is increased from \$4,000 to \$6,000 for a general contractor, and from \$2,000 to \$4,000 for a specialty contractor. Language is added to clarify how an action against a contractor's bond is commenced. Also, the Department is authorized to charge a \$10 handling fee for the processing of the action. Further, language is added to clarify that a contractor's registration is only valid so long as the required bond and insurance are in effect.

Language is added to clarify that persons who furnish labor, materials or equipment to a contractor are eligible to bring an action against the contractor's bond.

The Department is directed to provide information regarding contractor registration without charge, except for a reasonable fee to cover the cost of providing copies. The Department may set fees by rule.

The Department is authorized to issue a notice of infraction to any person who performs contracting work without being registered. The Department may inspect work sites in order to determine compliance with the registration requirements in those cases where the name of the person performing contracting work is not known, or if the name is known, but not on the Department's list of registered contractors. Wilful refusal to provide this information is a misdemeanor. The Department may issue a notice of infraction if it reasonably believes that a person who is performing contracting work is not registered.

The notice of infraction must be personally served. If the contractor named in the notice is a firm or corporation, the notice may be personally served on an employee. The person who is served with the notice is asked to sign the infraction which represents a promise to respond to the notice. Failure to sign the notice is a misdemeanor.

A person who is served with a notice of infraction is directed to respond within 14 days. If the person does not want to contest the infraction, he may respond by payment of the monetary penalty. If the person does want to contest the infraction, he must notify the district court and a hearing is scheduled. If the person named in the notice fails to respond in one of these two ways, the court is directed to enter an order assessing the monetary penalty. Also, wilful failure to respond to the notice of infraction as promised is a misdemeanor, regardless of the ultimate disposition.

District courts have jurisdiction over infractions. If a hearing is held, the person cited is entitled to be represented by an attorney. The Department is represented by the Attorney General's Office. Hearings are held without a jury.

The notice of infraction will be dismissed if the person proves that at the time the notice was issued, he was registered by the Department or was exempt from registration.

The monetary penalty for an infraction is set at \$100. The court has the power to waive, reduce or suspend the penalty. No claim may be brought against a surety bond for payment of this penalty.

Additionally, it is a misdemeanor for any person having knowledge of the registration requirement of the law to act as a contractor without being registered as required.

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**SSB 3056**

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## VOTES ON FINAL PASSAGE:

Regular Session

Senate	43	5	
House	95	0	(House amended)
Senate			(Senate concurred in part)

First Special Session

Senate	37	9	
House	95	0	

EFFECTIVE: January 1, 1984

**SSB 3066**

C 153 L 83

By Committee on Natural Resources (Originally sponsored by Senator Peterson)

Authorizing certain harbor lease moneys to be paid to towns.

Senate Committee on Natural Resources

House Committee on Natural Resources

## BACKGROUND:

The rents paid under leases of state-owned harbor areas and tidelands are distributed, after deduction of Department of Natural Resources (DNR) administrative costs, as follows:

1. Where the leased area is situated in a port district: (a) 25 percent is paid to the county for use of the port district. The money goes into a special fund for harbor and waterfront improvement purposes; (b) 75 percent is deposited into the capitol purchase and development account of the general fund; (c) the port district receives the entire rental if it constructed or owned structures and improvements before April 28, 1967, and receives the rental attributable to improvements constructed after April 28, 1967.
2. Where the leased area is not situated in a port district: (a) 25 percent is paid to the county harbor improvement fund; (b) 75 percent is deposited into the capitol purchase and development account.
3. Where the lease area is not in a port district but is within any city or town, the county allocates the 25 percent share to the municipal

authorities to be spent on harbor improvements.

Towns are not currently receiving revenues from aquatic land leases if the town is in a port district.

## SUMMARY:

Where the leased area is situated in a town (as distinct from a city), whether or not it is in a port district, 25 percent of the rents are paid to the county special fund for harbor improvements. Where the leased area is not in a port district, the county pays the 25 percent to the town (not cities) to be used for harbor improvements. The remaining 75 percent of the rents are paid to the town (not cities) to be spent on maintenance of water access improvements.

100 percent of rental monies from leases of harbor areas or tidelands situated in a town, whether or not the leased area is also in a port district, are paid to the town for maintenance of water access improvements.

## VOTES ON FINAL PASSAGE:

Senate	47	0
House	92	3

EFFECTIVE: July 1, 1983

**SSB 3067**

C 35 L 83 E1

By Committee on Transportation (Originally sponsored by Senators Hansen, Peterson and Guess)

Modifying provisions and the taxation of motor vehicle and special fuels.

Senate Committee on Transportation

House Committee on Ways and Means

## BACKGROUND:

All special fuel sold to truckers while in this state is subject to the special fuel tax imposed by Chapter 82.38 RCW. However, special fuel actually consumed out-of-state is exempt from the special fuel tax and is eligible for a refund of the amount of tax paid to this state when appropriate documentation of such out-of-state use for purposes of

interstate commerce is provided to the Department of Licensing. Fuel used in other states is subject to apportionment for taxation by the state in which it is used. Persons applying for special fuel tax refunds are subject to regular audits by the Department of Licensing to confirm the out-of-state use of this fuel.

Special fuels that qualify for exemption from the special fuel tax because of their use in machinery and equipment not operated on highways in this state are subject to the use tax in lieu of the special fuel tax.

Special fuel purchased in this state but used out-of-state by air, rail or waterborne carriers involved in interstate commerce also is specifically exempted from the sales or use tax because it is used out-of-state. Traditionally, special fuel purchased in this state, but exempted from the special fuel tax because of its actual use out-of-state by truckers involved in interstate commerce, has not been subject to collection of the sales or use tax because of the apparent legislative intent to exempt such fuel sales when used out-of-state for purposes of interstate commerce in the same manner as fuel used out of state by air, rail or waterborne interstate carriers.

Recent interpretations of the code by the Department of Revenue have resulted in efforts to impose the sales tax on sales of special fuel sold to truckers for use out-of-state. Consequently, some interstate truckers are deferring refueling stops until leaving this state, resulting in a marked reduction of fuel sales and ancillary services provided to these interstate truckers.

#### SUMMARY:

The intent of the Legislature is reaffirmed to exempt from the state sales and use tax special fuel purchased in this state by any purchaser who actually uses the fuel out-of-state for purposes of interstate commerce.

Sales tax paid on special fuel purchased in this state, but actually used out-of-state by persons engaged in interstate commerce, is eligible for application as a credit against other taxes due or to be refunded. Special fuel used out-of-state by interstate carriers is also exempt from the use tax. All other sales of motor vehicle and special fuels eligible for refund of the motor vehicle fuel tax or special fuel tax because of off-highway consumption remain subject to the sales and use tax.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

Senate 44 0

##### First Special Session

Senate 46 0

House 96 0

EFFECTIVE: May 17, 1983

## SSB 3068

C 241 L 83

By Committee on Agriculture (Originally sponsored by Senator Moore)

Modifying provisions relating to the distribution of donated food to needy persons.

Senate Committee on Agriculture

House Committee on Agriculture

#### BACKGROUND:

Currently, there are two major organizations who act as food oversight groups to develop services, and collect and distribute donated foods to food banks in the state. Current law provides immunity for persons or organizations from civil or criminal penalties. There is some question as to liability on the part of the two oversight groups.

#### SUMMARY:

Any nonprofit organization which distributes food to another nonprofit organization has immunity when acting without gross negligence or intentional misconduct.

The definition of donor is expanded to include agricultural crops or perishable foods.

The Department of Agriculture will maintain an information and referral service and a list of distributing organizations.

#### VOTES ON FINAL PASSAGE:

Senate 47 0

House 94 1 (House amended)

Senate 48 0 (Senate concurred)

EFFECTIVE: July 24, 1983



**SB 3076**

C 68 L 83

By Senators Peterson, Guess, Deccio and Rasmussen

Modifying requirements for weight distribution for garbage trucks.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

RCW 46.44.095 provides for additional tonnage permits for a combination of vehicles licensed to a gross weight of 80,000 pounds or for a three or more axled vehicle licensed to a gross weight of 40,000 pounds. The annual cost for additional weight is \$37.50 per thousand pounds. The tire size weight limits of RCW 46.44.042 and the single axle load limit of 20,000 pounds and the limit of gross load on any group of axles set forth in RCW 46.44-.041 remain in effect.

The statute also provides that a permit may be issued for an additional 2,000 pounds of load on the rear axle of a two-axle garbage truck. The annual permit cost is \$30 per thousand pounds. The permit for the additional weight is not valid on the federal interstate highway system.

Existing weight limitations do not take into account changes in garbage trucks and their loading characteristics. For example, garbage trucks now come equipped with self-compactors which are mounted behind the rear axle(s) of a garbage truck, thereby increasing the weight of the vehicle and especially that weight concentrated on the rear axle(s). The total weight of refuse collected by a truck can also vary with the type of garbage and weather conditions.

**SUMMARY:**

For the purposes of Title 46 RCW, a garbage truck is defined as a truck specially designed and used exclusively for garbage or refuse operations.

The excess weight authorized for the rear axle of a two-axle garbage truck is increased from 2,000 to 6,000 pounds. A permit to carry an additional 8,000 pounds on the tandem axle of a three-axle garbage truck is authorized above the former load limit of 34,000 pounds except for isolated special permits. The excess weight permits for the

additional weight continue to be issued by Department of Transportation at a rate not to exceed \$30 per thousand pounds and shall be issued notwithstanding the axle weight factors set forth in RCW 46.44.041 and the weight limitations for special permits set forth in RCW 46.44.091. Garbage trucks are required to conform with the tire weight limits of RCW 46.44.042 and the additional weight permits remain invalid on any part of the federal interstate highway system.

Revenue: Special permits may be purchased allowing additional tonnage on the rear axle(s) of garbage trucks. The annual permit fee may not exceed \$30 per thousand pounds.

**VOTES ON FINAL PASSAGE:**

Senate 38 9  
House 65 30

**EFFECTIVE:** July 24, 1983

**SSB 3079**

C 37 L 83 E1

By Committee on Local Government (Originally sponsored by Senators Bauer and Sellar)

Authorizing insurance services for officials as well as employees of sewer districts.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

It is not clear whether insurance benefits for county elected officials and employees may be considered compensation. The Legislature has not studied the whole issue of compensation and benefits of special district officials in recent years. The compensation and benefit provisions are not uniform or comparable between the many special purpose districts.

**SUMMARY:**

The cost of any group policy or plan shall not be deemed additional compensation to employees or elected county officials covered under the plan.

The Senate and House Local Government Committees shall study compensation and other benefits provided to officials of special purpose districts

and report their findings to the Legislature by January 1, 1984.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>			
Senate	32	16	
House	90	2	(House amended)
Senate			(Senate concurred in part)

<u>First Special Session</u>			
Senate	46	0	
House	96	0	(House amended)
Senate	46	1	(Senate concurred)

EFFECTIVE: August 23, 1983

## SSB 3081

C 75 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild, Moore, Wojahn, Deccio, Newhouse, Barr, Bauer, McCaslin and Williams)

Continuing state regulations of barbering.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

BACKGROUND:

The sunset process establishes a procedure whereby various state agencies and programs are scheduled for review and termination on a specified date, unless legislative action is taken to continue, or modify the agency in question. As a result of the sunset process, the regulation of barbers and men's hairstylists is scheduled for termination on June 30, 1983.

The program and fiscal review of the regulation of barbering was conducted during the 1982 interim. The audit report from the Office of Financial Management (OFM) recommended termination of regulation, while the Legislative Budget Committee (LBC) staff audit report recommended continuation with significant modification. The Legislative Budget Committee formally adopted the OFM report but included their staff recommendations in their report to the Legislature. Testimony at the joint hearing for review of the audit report and at later public hearings also indicated a dichotomy

of views on the continued regulation of barbers and men's hairstylists.

SUMMARY:

SUNSET

The termination of the state regulation of barbering and men's hairstyling that was scheduled to go into effect on June 30, 1983, in accordance with the sunset process, RCW 43.131.223, is repealed and the agency will continue to maintain its responsibilities as outlined in Chapter 18.15 RCW.

DEPARTMENT OF LICENSING STUDY

The Department of Licensing is required to conduct a study of the level of regulation required in the barbering and cosmetology industry to protect the public. The Department is specifically required to review: (1) the feasibility of combining licensing and regulation of barbers and men's hairstylists with the licensing and regulation of cosmetologists; (2) the feasibility of an apprenticeship program; and (3) the current education and training requirements. The Department is required to report their findings and any implementing legislation to the Legislature by January 1984. (The entire act terminates on June 30, 1984.)

PERMIT BARBERS

The permit barber provisions are deleted from existing law. All persons qualified by a passing score of 75 percent in each branch of their examination would be eligible to be licensed as a barber rather than required to serve with a permit for one and one-half years before being licensed.

Also, permit barbers' licenses as such, on the effective date of this act, shall be licensed to practice as barbers (grandfather clause).

BARBER EXAMINING COMMITTEE

The five members of the Barber Examining Committee shall be appointed by the Director of the Department of Licensing rather than by the Governor. The power of removal and the power to fill vacancies are also transferred to the Director. Committee members may serve no more than two full terms.

The Director is empowered to appoint one staff person from the Department's staff to act as the nonvoting executive secretary for the Examining Committee. The Director is also permitted to appoint no more than two alternate members to

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**SSB 3081**

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serve if the regularly appointed members are unavailable.

LICENSING

The annual licensure of barber-related functions is changed to a three year license period.

The requirement that a licensed barber must practice for five years before being qualified for an instructor's license is removed.

A licensed men's hairstylist is allowed to practice on female as well as male clients.

Termination Date: The barbering and men's hairstyling law will cease to exist on June 30, 1984.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	84	6

EFFECTIVE: April 22, 1983

**SB 3084**

C 76 L 83

By Senators Thompson and Sellar

Modifying procedures for local government review board procedures.

Senate Committee on Local Government

House Committee on Local Government

BACKGROUND:

A county boundary review board must be notified of all proposed municipal incorporations, mergers, creation of special purpose districts, and other proposed boundary actions of cities and special purpose districts within the county. A proposal must be approved by a boundary review board before a proposal may proceed.

If a request for review is not made to the board within 60 days after notification of the proposal, the proposal is deemed approved. If a request for review is made to the board, the board must review the proposal.

The board is required to make a finding on the proposed incorporation of a city or town within 120 days after the filing of the request for review. There is no time limit within which the board must

render a finding for other proposals such as creation of special districts or boundary questions relating to special purpose districts which are under review. There is no provision which allows the 120 day review period to be extended if the board and the person submitting the proposal agree to an extension.

SUMMARY:

A boundary review board is required to make a finding on all proposals including those relating to special districts requested for review within 120 days after the request is made. The 120 day review period may be extended if the board and the person submitting the request agree.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	90	0

EFFECTIVE: July 24, 1983

**2SSB 3085**

PARTIAL VETO

C 13 L 83 E1

By Committee on Commerce and Labor (Originally sponsored by Senators McDermott, Vognild, Moore, Wojahn, Shinpoch, Talmadge, Hughes and McManus)

Modifying provisions on unemployment compensation.

Senate Committee on Commerce and Labor

House Committee on Labor

BACKGROUND:

Additional Benefits

At the present time, state funded "regular" unemployment compensation benefits are available to qualified persons for up to 30 weeks. When the number of covered workers drawing benefits reaches a certain level, a combined federal and state funded program provides for "extended" benefits of 13 weeks to those who have exhausted 26 weeks of state benefits. Because most states provide only 26 weeks of "regular" benefits, "extended" benefits begin at week 27 and continue through week 39. The cost of "extended"

benefits is shared equally between the state and federal government. Therefore, when the state is eligible for "extended" benefits, it pays 100 percent of the costs of unemployment benefits for weeks 1-26, and 50 percent of the costs for weeks 27-39. When the state is not eligible for "extended" benefits, it pays 100 percent of the costs of unemployment benefits for weeks 1-30.

In April of last year, a state funded "additional" benefit program made available an additional 13 weeks of benefits to those persons who had exhausted their "regular" and "extended" benefits. The potential duration of all benefits was thereby increased to 52 weeks. The payment of "additional" benefits was set to terminate if any federally funded program was enacted which provided for unemployment benefits beyond the 39 weeks of "regular" and "extended" benefits. A federal program providing 10 weeks (currently 16 weeks) of unemployment compensation benefits went into effect September, 1982. The benefits available under this program are termed "Federal Supplemental Compensation" (FSC). With the commencement of the "FSC" benefit program, the state stopped paying "additional" benefits.

The "FSC" program is scheduled for termination on March 31, 1983. The state "additional" benefit program is scheduled to expire on February 26, 1983. Proponents are concerned that if the state's "additional" benefit program is not extended and the "FSC" program expires as well, that workers will only be eligible for a maximum of 39 weeks of unemployment. This number of weeks of unemployment compensation payable could also be reduced to 30 by June, as that is the approximate date when the state is expected to no longer be eligible for extended benefits.

#### Employer Tax Rate

State law provides that the basic employer tax rate is 2.7 percent. This is the minimum level at which it can be set in order for state employers to be entitled to the 2.7 percent FUTA tax credit. State law also provides for a higher rate to be set of 3 percent when the unemployment compensation fund balance is less than 3.5 percent of total wages paid. Because of the status of the fund, employers have paid a 3 percent tax rate since 1972 (temporarily increased to 3.3 percent for 1978 and 1979). The fund balance is currently .7 percent of wages. Projections on the condition of the

trust fund indicate that the fund will fall into a deficit in November 1983 and as a result federal loans will be necessary to cover benefit payments.

#### Tax Ceiling

The tax ceiling is the amount of employee wages subject to the employer tax. Current law provides that if the unemployment compensation fund balance is less than 4.5 percent of total wages, that the tax ceiling will increase by \$600. However, the tax ceiling cannot exceed 80 percent of the average annual wage for the second preceding calendar year, rounded to the next lower multiple of \$300. The net effect of this law has been that because of the condition of the fund, the tax ceiling has risen by \$600 every year since 1971 when the tax ceiling was set at \$4,200. The present tax ceiling is \$11,400.

#### Federal Interest Fund

Public Law 97-35 provides that except for seasonal cash flow needs, loans received from the federal loan fund between April 1982 and December 1987 will bear interest. The interest will have a ceiling of 10 percent and will be due no later than October 1 following the federal fiscal year of the advances received. The interest due may not be paid directly or indirectly from the state's unemployment insurance reserve fund. The interest must come from other sources such as general revenues or a special employer tax. According to fiscal forecasts on the unemployment insurance reserve fund, the state may need to borrow from the federal loan fund to pay benefits in late 1983 or early 1984. If the state is unable to pay the loan(s) back by October 1, 1984, there is currently no mechanism available to pay the accruing interest.

#### SUMMARY:

##### Additional Benefits

An "additional" benefit period is established from March 31, 1983, through March 31, 1984. "Additional" benefits will be paid during this year for weeks in which the state is eligible for "extended" benefits. If the federal government extends the "FSC" benefit program or establishes a similar program, "additional" benefits will not be paid during those weeks during which the federal program is in effect.

Employer Tax Rate

The employer tax rate is modified so that an additional .15 percent surcharge will only be imposed if the trust fund balance on January 1, 1984, is less than a \$50 million deficit or on July 1, 1984, the trust fund balance is less than \$110 million deficit.

Tax Ceiling

The tax ceiling will be increased to 80 percent of the average annual wage for contribution purposes for the preceding year only if the trust fund balance on January 1, 1984 is less than a \$50 million deficit or on July 1, 1984 the trust fund balance is less than \$110 million deficit.

Federal Interest Fund

A new federal interest payment fund is established separate and distinct from other state monies. The fund is established to pay the interest on loans from the federal unemployment insurance compensation fund. The federal interest payment fund revenue will be generated by a tax on employers not to exceed .15 of 1 percent. The employer tax will be levied only when the commissioner determines that for any calendar quarter after January 1, 1984, there will be an outstanding balance of accruing federal interest payments. Employers not participating in the present unemployment insurance program will also be exempted from the federal interest tax. No portion of this tax may be deducted by the employer from an employee's salary.

Experience Rating

In preparation for the expected revision in the federal tax structure in 1985, the Department of Employment Security is required to develop a data base for the following elements of an experience rating system:

- (a) A benefit ratio system based on a 48 month period; and
- (b) Specified non-chargeable items.

The Department is also required to provide information as requested by the Senate Commerce and Labor Committee and the House Labor Committee on:

- (a) Seasonality;
- (b) Alternative financing systems; and
- (c) Adequacy of funding levels.

Also, certain obsolete experience rating provisions are stricken.

Future Obligation: The Department of Employment Security is required to make an initial report on experience rating by July 1, 1983.

Revenue: Beginning on January 1, 1984, a new tax may be imposed by the Commissioner of Employment Security on employers at a rate of no more than .15 percent to fund the federal interest payment fund. If the unemployment fund is at a deficit of \$50 million on January 1, 1984 or \$110 million on July 1, 1984, an additional .15 percent surcharge will be added to the employers tax.

VOTES ON FINAL PASSAGE:

Regular Session

Senate 43 4

First Special Session

Senate	45	1	
House	94	2	(House amended)
Senate	47	1	(Senate concurred)

EFFECTIVE: May 11, 1983

PARTIAL VETO SUMMARY:

The provisions which allow for a conditional .15 percent surcharge on the employer tax and which allow for a conditional increase in the taxable wage base are stricken.

**SSB 3087**

C 207 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild, Moore, Bottiger, Shinpoch, Talmadge, Hughes and McManus)

Authorizing payment of shared work unemployment insurance.

Senate Committee on Commerce and Labor

House Committee on Labor

BACKGROUND:

At the present time, the criteria for payment of unemployment insurance benefits to part-time workers are:

- 1) The employee must have worked for the employer on a full-time basis prior to an involuntary reduction of the work week; and

- 2) The employee must meet the general unemployment insurance benefit requirements.

An employee's weekly benefit amount is determined in the normal manner, as if the employee were totally unemployed. This amount is reduced by a formulated portion of the employee's weekly earnings.

This program, while providing unemployment insurance benefits to certain unemployed workers, does not in general provide comprehensive assistance. For example, workers with a work week that is reduced less than 50 percent receive, as a general rule, no benefits.

There is no incentive in current law for employers to reduce workers' hours during depressed economic times other than to lay off employees.

#### SUMMARY:

A shared work program is established based on federal model language prepared pursuant to Public Law 97-248. Employees may receive unemployment compensation under an employer's approved shared work plan, if the plan provides for at least a 10 percent but no more than a 50 percent reduction of the normal weekly hours of one or more employees in an affected unit and in lieu of employee layoffs. The plan must apply to at least 10 percent of the employees in an affected unit. Where applicable, the plan must be approved by the collective bargaining unit. Only employee positions which have historically been filled on a full-time, year-round basis may be included in the employer's shared work plan. Seasonal employers or employers who traditionally use part-time employees are excluded from the program.

An employer under an approved shared work plan must agree to continue to provide health and retirement benefits for shared work employees. In no event may a plan provide for a reduction in health benefits due to the reduction in hours.

The Commissioner of Employment Security is required to approve or reject a plan within 15 days after submission. The plan may be revoked by the Commissioner for cause, such as a material discrepancy in the employer's proposed plan, or other factors which the Commissioner may deem contrary to public interest.

Individuals who intentionally or substantially misrepresent a plan will be subject to criminal prosecution and civil liability.

Employees who are eligible under the approved work plan will receive work share benefits equal to the percentage in which the normal weekly hours are reduced, multiplied by the employee's regular weekly unemployment benefit amount (the amount of work reduction must at least equal 10 percent).

Income an employee receives beyond that received from the shared work employer will be deducted from benefits otherwise payable.

Work share employees are restricted to a maximum of 26 weeks of benefits during any 12-month period under a work share plan. Individuals who have exhausted all combined shared work and regular unemployment compensation available in a benefit year are eligible for extended benefits if they meet the normal requirements.

#### VOTES ON FINAL PASSAGE:

Senate	30	12	
House	60	34	(House amended)
Senate	28	18	(Senate concurred)

EFFECTIVE: July 31, 1983

## SSB 3088

C 208 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild, Moore, Wojahn, Deccio, Newhouse, Patterson, Barr, Bauer and Williams)

Continuing state regulations of cosmetology.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

#### BACKGROUND:

The sunset process establishes a procedure whereby various state agencies and programs are scheduled for review and termination on a specified date, unless legislative action is taken to continue, or modify the agency in question. As a

result of the sunset process, the regulation of cosmetologists is scheduled for termination on June 30, 1983.

As required by the "sunset law," the program and fiscal review for cosmetology regulation was conducted during the 1982 interim. The audit report from the Office of Financial Management recommended termination of regulation, while the Legislative Budget Committee staff audit report recommended continuation with significant modification. The Legislative Budget Committee formally adopted the Office of Financial Management's audit report but included their staff recommendations in their final report to the Legislature. Testimony at the joint hearing for review of the audit report and at later public hearings also indicated a dichotomy of views on the continued regulation of cosmetology.

SUMMARY:

SUNSET

The termination of the state regulation of cosmetology that was scheduled to go into effect on June 30, 1983, in accordance with the sunset process, is repealed and regulation will continue as outlined in current law with several modifications.

DEPARTMENT OF LICENSING STUDY

The Department of Licensing is required to conduct a study of the level of regulation required for proper protection of the public in the cosmetology and barbering industry. The Department is required to review: (1) the feasibility of combining the licensing and regulation of cosmetologists with that of barbers and men's hairstylists; (2) the feasibility of an apprenticeship program; and (3) the education and training requirements. The Department must report their findings and implementing legislation by January, 1984.

COSMETOLOGY RESTRICTIONS

The current restriction that allows only cosmetologists to practice in a cosmetology shop is revised to allow barbers and men's hairstylists to practice in a cosmetology shop. The restriction that allows only manicurists to practice in a manicurist shop is likewise removed.

COSMETOLOGY EXAMINING COMMITTEE

The five members of the Cosmetology Examining Committee shall be appointed by the Director of the Department of Licensing rather than by the

Governor. The power of removal and the power to fill vacancies are also transferred to the Director. Committee members may serve no more than two full terms.

The Director is empowered to appoint one staff person from the Department staff to act as the nonvoting executive secretary for the Examining Committee. Also, the Director may appoint two alternate members to the Committee to serve if the regularly appointed members are unavoidably unable to attend and participate in a scheduled exam.

LICENSING

The annual licensure period for cosmetology-related functions is revised to a three-year license period.

STUDENT STATUS

The definition of cosmetology "student" is broadened to include any person with a certificate of educational competence or an equivalent education as determined by the Director.

The accreditation of hours for a "special student" of cosmetology is revised to include a student who receives a certificate of educational competence prior to applying for the cosmetology license examination.

Termination Date: The cosmetology act will expire on June 30, 1984.

VOTES ON FINAL PASSAGE:

Senate	46	2	
House	80	10	(House amended)
Senate	44	1	(Senate concurred)

EFFECTIVE: May 16, 1983

**SB 3089**

C 125 L 83

By Senators Goltz, Kiskaddon and Bauer

Permitting private schools to obtain a surety bond when making joint purchases with public schools.

Senate Committee on Education

House Committee on Education

**BACKGROUND:**

Current law provides that private schools must pay their proportionate share in advance when purchasing supplies, equipment and/or services in conjunction with a public school district. It is argued that private schools should be allowed to post a surety bond rather than pay in advance in order to enhance their cash flow.

**SUMMARY:**

A private school is allowed to provide a surety bond to cover its proportionate share of the cost of jointly purchasing school supplies, equipment or services with public schools districts and educational service districts in lieu of paying the proportionate share in advance.

**VOTES ON FINAL PASSAGE:**

Senate 46 0  
House 97 1

**EFFECTIVE:** July 24, 1983

**SB 3090**

PARTIAL VETO

C 47 L 83 E1

By Senators Talmadge and Hughes

Modifying the budget and accounting act.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

Prior to June 1982 the Budget and Accounting Act was interpreted to mean that when the Governor imposed allotment reductions on state agencies, the reduction must be a uniform percentage for each agency. In June 1982 Senate Bill 5033 was passed by the Legislature which granted the Governor the authority to make variable allotment reductions in state agencies. The two subsections in this bill which granted this authority expired on December 31, 1982.

SB 5033 also directed the Governor to make allotment reductions of \$20 million.

**SUMMARY:**

The variable allotment reduction subsections that had expired on December 31, 1982 are eliminated. In addition, RCW 43.88.113, which directed the Governor to make allotment reduction of \$20 million by various means which were outlined in that particular section, is repealed. (The Governor implemented those reductions in July of 1982.) This section was to expire on June 30, 1983.

Each state agency is to submit to the Legislature annually a list of expenditures required by the federal courts. The Legislature is to review these expenditures and decide whether they should be continued or eliminated. This amendment is to be submitted to the people for a vote.

The Governor's budget proposal which would require changes in tax statutes is not to be any more detailed than the budget proposal which would not require any changes in existing law.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate 31 15  
House 86 0 (House amended)  
Senate (Senate asked House to  
recede)

First Special Session

Senate 26 21  
House 86 0 (House amended)  
Senate (Senate asked House to  
recede)

Free Conference Committee

House 96 0  
Senate 25 19

**EFFECTIVE:** August 23, 1983

**PARTIAL VETO SUMMARY:**

An emergency clause and the requirement that budget proposals which require tax changes be no more detailed than the budget proposal which requires no tax changes were vetoed. (See VETO MESSAGE)



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**SSB 3094**

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**SSB 3094**

C 126 L 83

By Committee on Local Government (Originally sponsored by Senators Goltz, Zimmerman, Thompson and McCaslin)

Providing for latecomer fees for street improvements which were undertaken as a prerequisite to property development.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

The governing body of a city, town, county, sewer district, water district, or drainage district may contract with real estate owners to provide water or sewer facilities, and to provide for a period up to 15 years for the reimbursement of these owners by other real estate owners who did not contribute to the original construction costs. Reimbursement payments consist of a pro rata share of the cost of construction. The contract must be recorded with the auditor to be binding on owners who are not a party to the contract.

Municipalities have no similar authority with respect to the costs associated with street improvements.

**SUMMARY:**

The legislative authority of any city, town, or county may contract with real estate owners for the construction of street projects which the owners elect to install as a result of municipal ordinances or resolutions that require the improvements as a prerequisite to further development. "Street projects" include design, grading, paving, installation of curbs, gutters, storm drainage, sidewalks, traffic controls, and street lighting. The contract must be recorded with the auditor within 30 days of the agreement to be binding on owners who are not a party to the contract.

The contract may provide for reimbursement of these property owners by other real estate owners who did not contribute to the original costs and who developed their property within 15 years of the installation of the street improvements. Reimbursement payments are based upon the benefit to the property and consist of a pro rata share of

the costs of construction and contract administration.

The municipality must determine which properties are benefited by the installation of the improvements and then forward the preliminary determination of the area boundaries and assessments by registered mail to the affected property owners. Any owner may request a hearing in writing within 20 days of the mailing. Notice of any hearing shall be sent to all affected property owners. The legislative body's ruling is final.

**VOTES ON FINAL PASSAGE:**

Senate	32	15
House	98	0

EFFECTIVE: July 24, 1983

**SB 3096**

C 14 L 83

By Senator McDermott (By Office of Financial Management Request)

Modifying the payment schedules for school district apportionments.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

Disbursement dates were changed during the 1982 legislative session in an effort to ease the state's continuing cash flow problems.

**SUMMARY:**

The apportionment disbursement date is changed from the 15th of April and the 15th of May to the last day in March and the last day in April.

The school district apportionment payment delay that was to have occurred in March and April of 1983 is cancelled. Interest costs are adjusted to reflect the change in disbursement dates.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	92	0

EFFECTIVE: March 25, 1983

**SB 3097**

C 77 L 83

By Senator Sellar

Increasing certain collection fees pertaining to motor vehicles.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

Certain licensing services provided by the county auditors and their subagents for the Department of Licensing are proving to be more costly with regard to the use of county staff and equipment than originally anticipated. At present, the collection fees for two of their services, issuance of certificates of vehicle ownership and collection of the use tax on license fees, are not sufficient to cover the expense of the services provided by the counties.

**SUMMARY:**

Application fees for licensing, registration, or operation of motor vehicles upon public highways remain at the current \$1 fee with two exceptions: (1) the fee for certificates of motor vehicle ownership is increased from \$1 to \$3; and (2) the additional service fee charged by the subagent is increased from \$1.50 to \$1.75. The county auditor's share for collection of the motor vehicle use tax is increased from \$1 to \$2.

Revenue:

- (1) The application fee for certificate of ownership collected by the Department of Licensing, the county auditor or subagent is increased from \$1 to \$3.
- (2) The county auditor's share for collection of the motor vehicle use tax is increased from \$1 to \$2.

**VOTES ON FINAL PASSAGE:**

Senate	46	2
House	87	3

EFFECTIVE: July 24, 1983

**2SSB 3100**

PARTIAL VETO

C 12 L 83

By Committee on Ways and Means (Originally sponsored by Senator McDermott and By Governor Spellman Request)

Adopting a supplemental budget.

Senate Committee on Ways and Means

House Committee on Ways and Means

**SUMMARY:**

The supplemental budget for state agencies is adopted for the remainder of the 1981-83 biennium.

**VOTES ON FINAL PASSAGE:**

Senate	25	24	
House	51	44	(House amended)
Senate			(Senate refused to concur)

Free Conference Committee

Senate	28	19
House	53	39

EFFECTIVE: March 18, 1983

**PARTIAL VETO SUMMARY:**

The Governor vetoed: an amendment to his emergency fund requiring expenditures for lake clean-up activities and organized crime prosecution; an amendment to the Department of Agriculture prohibiting aerial spraying over cities; an amendment reducing expenditures for tourism; a new section reducing salaries for persons earning over \$40,000; and a technical definition. (See VETO MESSAGE)

**SSB 3101**

C 160 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild and Quigg) (By Liquor Control Board Request)

Modifying provisions relating to the state liquor control board.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic  
Development

**BACKGROUND:**

Lottery Ticket Sales

The lottery act contains a provision which appears to grant retail outlets of the state Liquor Control Board the authority to act as lottery sales agents. However, the law regulating alcoholic beverages (Title 66 RCW) does not contain complementary language. As a result, there is some ambiguity regarding the Liquor Control Board's authority to authorize retail outlets to sell lottery tickets or provide other services for the lottery.

Church and Church Schools

A recent federal Supreme Court decision (Larkin v. Grendel's Den, Inc.) ruled that a Massachusetts statute which, in effect, gave churches the power to veto applications for liquor license within 500 feet of church property, was unconstitutional on the grounds that such a statute impermissibly mixed the functions of church and state by delegating governmental power to the churches. In the opinion of the State Attorney General, "the portion of Washington law which is analagous to the Massachusetts' statute is unenforceable to the extent that it grants veto power to the church and church schools."

Licensing

In 1981, at the State Liquor Board's request, the Legislature adopted language to permit the Board to implement a program under which licenses would be issued on a staggered basis throughout the year. Implementation of this program was set for July 1, 1983. Due to fiscal restraints the agency has been unable to install the data processing programs necessary to have the program operational by the effective date.

Currently, the \$2,000 fee for a Class H license issued in an area outside of an incorporated city and town are prorated according to the calendar quarters, or portions of calendar quarters that the licensee is open for business. However, there is no provision for prorating the fee for a Class H license issued in an incorporated city or town.

Current law does not restrict the issuance of a liquor license to a motor sports facility which does not enforce a reasonable program to prevent

contraband alcohol purchased outside of the facility from being brought into the facility. Recent problems have arisen in King County where the county has been unable to effectively restrict the flow of contraband alcohol into the Seattle International Raceway.

**SUMMARY:**

Lottery Ticket Sales

The Liquor Control Board is specifically authorized to perform services for the State Lottery Commission for compensation and to the extent that they mutually agree.

The Board's expenses for the purchase, transportation and other acquisition costs of lottery tickets will be treated like liquor and not be deemed as administrative expenses, which are paid directly from the revolving account.

Church and Church Schools

The Washington provisions which delegate veto power to churches and church schools over proposed licensed premises within 500 feet of the church or church school is repealed. The Board is still required to give due consideration to the location and exercise discretionary authority in respect to granting or denying the application near a church. The Liquor Control Board is prohibited from issuing a retail liquor license if, in the judgment of the Board, a private school located within 500 feet of the licensed establishment will be adversely affected. To be eligible for such consideration, the private school must meet the statutory requirements for such schools. If the Board approves a license despite proximity to a private school, the Board shall state their reasons for approval in a letter.

Licensing

The statutory requirement for the staggered license program is stricken and a uniform expiration date of June 30 is established. The Board by rule may implement a system of staggering annual renewal dates for licenses.

At the time of original issuance of any Class H license, the Board is required to prorate the fee based on the calendar quarters, or portions thereof, remaining until the first renewal.

No liquor license may be issued to a motor sports facility unless that facility has a program approved by local law enforcement agencies to

prevent persons from bringing alcoholic beverages not purchased at the facility into the facility.

VOTES ON FINAL PASSAGE:

Senate	36	10	
House	84	12	(House amended)
Senate	40	5	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3106**

PARTIAL VETO

C 164 L 83

By Senators Talmadge, Granlund, Hemstad, Deccio and McCaslin

Increasing penalties for vehicular homicide and vehicular assault.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

A person who operates a vehicle in a reckless manner or while under the influence of intoxicating liquor and causes the death of another person is guilty of the crime of negligent homicide. The punishment for negligent homicide is imprisonment in the state penitentiary for not more than ten years or imprisonment in a county jail for not more than one year and a fine of not more than \$1,000, or both a fine and imprisonment.

The statutes in Washington provide for standardized classifications of felonies and authorized sentences for each felony. The punishment for negligent homicide is not similar to existing classifications of felonies. Also, the term "vehicular homicide" is more descriptive of the crime than "negligent homicide".

Presently, the penalties for a DWI conviction do not make a distinction as to whether another person did or did not suffer serious bodily injuries. Many prosecutors, judges, and law enforcement officials in the state are of the opinion that greater penalties should be imposed on a DWI defendant when his actions have caused another person serious bodily injuries.

SUMMARY:

The crime of negligent homicide is renamed vehicular homicide and it is made a Class B felony (imprisonment for ten years or fine of \$20,000, or both).

The crime of vehicular assault is established as a Class C felony (imprisonment for five years or fine of \$10,000, or both). A person is guilty of vehicular assault if he operates a vehicle in a reckless manner or while under the influence of alcohol and his actions cause another person to suffer serious bodily injury.

Upon conviction of vehicular assault, a person's driver's license is revoked for one year and the person is not eligible for an occupational driver's license.

Vehicular assault is added to the list of crimes which, after three convictions in a five-year period, classifies a person as a habitual traffic offender. Vehicular assault is added to the list of reasons why a person can be denied a "for hire vehicle" permit by the Department of Licensing.

A person is not eligible for an occupational driver's license if he has been convicted of an alcohol-related traffic offense twice in a five-year period.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	95	1	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 24, 1983

PARTIAL VETO SUMMARY:

The Governor vetoed section 3 to avoid a double amendment to RCW 46.20.285. (See VETO MESSAGE)

**SSB 3108**

C 15 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild, Peterson, Bender, Wojahn, McDermott and Bauer)

Revising laws governing labor relations for ferry workers.

Senate Committee on Commerce and Labor

House Committee on Labor

**BACKGROUND:**

Washington State's marine employees have held collective bargaining rights since 1949. In an effort to reduce spiraling system costs, the 1981 Legislature enacted SSB 3359 (Chapter 344, Laws of 1981) ending collective bargaining over wages and benefits for ferry system employees, and instead placing them under a marine classification and compensation plan to be prepared by the State Personnel Board. The plan is to be based on a survey of salaries paid workers in comparable state and private jobs, as is already done for other state workers. Ferry employees are to be paid according to the plan, with cost of living increases appropriated by the Legislature in the budget. State costs for medical insurance and other benefits may not exceed the level paid for other state employees.

SSB 3359 continued the bargaining over working conditions and other personnel matters not covered by the wage and benefit provisions of the plan, and provided that labor grievances will be resolved, as before, by the Public Employment Relations Commission.

In addition to placing ferry employees under a marine classification and compensation plan, the Legislature significantly strengthened the law to prevent illegal strikes from disrupting ferry service in the future. SSB 3359 absolutely prohibits strikes and work stoppages and provides for injunctions with fines for unions violating them of up to \$2,500 per day.

Current labor contracts are not affected by the termination of bargaining rights, but upon their expiration beginning on March 31, 1983, the employees covered under those agreements will be subject to the marine classification and compensation plan.

On May 20, 1981, during a 3-day walk-out strike by marine engineers protesting enactment of SSB 3359, Governor John Spellman appointed a 14-member Special Commission on Ferries. Chaired by the Governor, the Commission was composed of representatives of ferry unions, organized labor, ferry users, public members, and four legislative members. After numerous meetings throughout the summer, the Commission recommended that the Governor offer as executive request legislation

a proposal to reinstate collective bargaining for ferry employees. That legislation, introduced as SB 4609 during the 1982 regular session, passed the Senate as a substitute bill but failed to pass the House.

**SUMMARY:**

Based upon legislation originally recommended by the Governor's Special Commission on Ferries, this legislation reinstates collective bargaining for ferry employees over wages, hours, working conditions, insurance and health care benefits, and other matters mutually agreed upon. In contrast to previous practice, contract negotiations will commence only after adoption of the biennial budget, and the resulting collective bargaining agreement shall expire after two years. The stated intent is to insure that contract negotiations coincide with the budget cycle.

UNFAIR LABOR PRACTICES

Unfair labor practices for ferry system management or its representative are as follows:

- (1) To interfere with, restrain or coerce employees in the exercise of their legal rights;
- (2) To dominate or interfere with the formation, administration or financial support of any employee organization;
- (3) To encourage or discourage membership in any employee organization by discrimination in regard to hiring, tenure, or any term of employment;
- (4) To discharge or discriminate against an employee because of charges filed or testimony presented under this chapter; and
- (5) To refuse to bargain collectively with their employees' representative.

Unfair labor practices for employee organizations are as follows:

- (1) To restrain or coerce (a) employees in the exercise of their legal rights; or (b) an employer in the selection of a representative for collective bargaining or grievance procedure;
- (2) To cause or attempt to cause an employer to discriminate against an employee in regard to hiring, tenure or any term of employment to encourage or discourage union membership; and
- (3) To refuse to bargain collectively.

STRIKES, WORK STOPPAGES AND LOCKOUTS

Strikes, work stoppages and lockouts are expressly prohibited. In the event of a strike, work stoppage or lockout, any Washington citizen may petition in Thurston County Superior Court for an injunction to restrain the activity. Failure to comply with such an injunction is punishable as contempt, subject to a fine of no more than \$10,000 and imprisonment not to exceed six months. A ferry employee is subject to general contempt provisions yielding no more than a fine of \$300 or six months imprisonment.

The Department of Transportation is authorized to adopt rules which, in consideration of the public health, safety and welfare, will permit the "mosquito fleet" to provide emergency passenger service in the event of a work stoppage or slowdown.

GRIEVANCE PROCEDURES

Grievance procedures may be specified through an agreement with an exclusive bargaining representative. Ferry system employees must follow grievance procedures specified in the collective bargaining agreement or submit the grievances to the Marine Employees' Commission.

MEDIATION AND FACT FINDING

Should a negotiated agreement not be reached within prescribed time limits, mediation and fact finding services are to be provided by the Marine Employees' Commission. If mediation fails to produce agreement on all issues, all items remaining in dispute are to be submitted to a 3-member arbitration panel for "final offer item-by-item binding arbitration". Alternatively, the parties may agree to submit their dispute to a single arbitrator. Under final offer item-by-item arbitration, the panel must select the final offer submitted by one of the parties on each individual item in dispute.

BUDGET AND FARE INCREASES

Ultimate legislative control over budget and fare increases is preserved. Salaries and benefits awarded ferry system employees may not exceed limits set by appropriations. Fare increases for labor costs may not exceed increases in the Seattle Consumer Price Index for the 12 months preceding the proposed fare increase.

The Department may agree to health and welfare packages which require employer contributions greater than those made for other state employees. However, after July 1, 1984, any insurance

and health care plans which require employer contribution in excess of the amount paid for other state employees will reduce the funds available for compensation purposes.

UNION SECURITY

Union security provisions through collective bargaining are added. Bargaining provisions may include "agency shop" but not a "union or closed shop". If an agency shop is agreed to by the parties, a procedure for employer collection of dues is specified. Non-association provisions are included which exempt employees with conflicting religious beliefs. In such cases, dues are paid to a religious or charitable organization.

MARINE EMPLOYEES COMMISSION

In order to provide for prompt resolution of grievances, the 3-member Marine Employees' Commission is recreated. In addition to adjudicating grievances, the Commission will conduct salary surveys prior to labor negotiations, and, upon request, provide additional fact finding and mediation services during negotiations. The traditional fare review in May of each year is replaced by adoption of a biennial fare structure on July 1 of each odd-numbered year. Fares may thereafter be reviewed and adjusted within specified limits whenever it appears to the Commission that revenues and subsidy will not be adequate to meet projected costs.

Procedures are established for a compliance review by the Marine Employees' Commission of any negotiated agreements or orders to make a final determination of whether they are in compliance with the budget and fare limitations. If not, the Commission must order a pro rata reduction of straight time wages. The Commission must adopt rules pursuant to the Administrative Procedure Act and may hire staff, appoint consultants, enter into contracts and conduct studies. Employees of the Commission are exempt from Civil Service.

CURRENT CONTRACTS

Current marine employee union contracts expire on June 30, 1983, except for the Inland Boatmen's Union (IBU) contract which expires March 31, 1983, and the Service Employees' International Union (SEIU) contract which expires on June 30, 1984. Provisions are included so that those two contracts may, upon the agreement of the parties, be extended (IBU) or terminated (SEIU) on July 1, 1983. If the IBU contract is extended, it "may" be made retroactive to the expiration date (March

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**SSB 3108**

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31) and the three months of compensation and benefits shall not be included in the computation of limitations on budget and fare increases set by other sections of the act. If the SEIU contract is terminated early, it may not be renewed beyond July 1, 1985, and is subject to the provision of the act only upon its expiration.

PUBLIC TRANSPORTATION

Requirements are imposed for public participation prior to any decision by the Transportation Commission or the Department of Transportation to increase fares or alter ferry service levels. The procedures for appointing a county "ferry advisory committee" are revised to clarify the members' terms and to include members from: (a) a ferry user group; (b) an entity dependent on the ferry system for commerce; and (c) a local government transportation planning body.

Appropriation: \$20,000 is appropriated to the Marine Employees' Commission.

**VOTES ON FINAL PASSAGE:**

Senate 25 22  
House 63 34

**EFFECTIVE:** March 28, 1983

**SSB 3110**

C 48 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Wojahn, Sellar and Moore)

Modifying provisions relating to the Washington credit union share guaranty association.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

**BACKGROUND:**

The Washington Credit Union Share Guaranty Association was established in 1975 to guarantee payment against loss to shareholders of liquidating state-chartered credit unions.

Each credit union is required annually to set aside funds in a contingency reserve at a rate of 1/18 of 1 percent of insurable balances up to one-half of 1 percent. The Association is authorized to make assessments against those reserves in the event of a liquidation of a credit union. It is suggested that additional reserve funds would be prudent at this time.

**SUMMARY:**

At the beginning of each calendar year, each member credit union shall make a transfer to or from its contingency reserve to achieve a level of one-half of 1 percent of guaranteeable outstanding share and deposit balances as of December 31 of the previous year.

The Board of the Share Guaranty Association may require one additional transfer of one-half of 1 percent to the contingency reserve during each calendar year. The transfer for new members will be based on date of membership. Member credit unions who have merged shall be assessed the sum of their share and deposit balances as of December 31 of the previous year. In the event of a merger of a member and nonmember the assessment shall be based on the member's previous calendar year end balances and the nonmember balances as of the merger date. The calendar year of 1983 is the transitional year for assessments necessary to attain the one-half of 1 percent level.

In the event a credit union board votes to liquidate membership in the association, convert to a federal charter, or merge with a credit union of another state, it shall notify the association in writing within seven days of such action.

Any credit union (except those merging with a member credit union) terminating its membership will be liable for its pro rata share of any difference between the association's current liability for contracted guarantees and the amount from previous assessments currently held for contracted guarantees. The amount is to be determined by the supervisor.

**VOTES ON FINAL PASSAGE:**

Senate 47 0  
House 96 0

**EFFECTIVE:** April 19, 1983

## SSB 3112

C 16 L 83

By Committee on Judiciary (Originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognild, Bender, Rinehart, Granlund and McManus)

Enacting the Washington State Redistricting Act.

Senate Committee on Judiciary

House Committee on Constitutions, Elections and Ethics

## BACKGROUND:

The Washington State Constitution requires the Legislature to redistrict the State Senate and House of Representatives after every census (Article II, Section 3). Congressional redistricting is to be accomplished after every federal census (Article XXVII, Section 13). Since 1889, the Legislature has accomplished redistricting only four times. In 1972, after the Legislature failed to adopt the redistricting plan, a federal court ordered a master's redistricting plan into effect. In 1982, a federal panel rejected the Legislature's congressional plan because of excessive deviation in district populations.

The current redistricting provisions in the State Constitution have been criticized as being inadequate to assure prompt and regular redistricting. As a result, a constitutional amendment (SJR 103) which establishes an independent redistricting commission will be submitted to the voters at the November 1983 general election. Legislation is required by that amendment to implement its provisions.

## SUMMARY:

The provisions of SJR 103 are implemented if that constitutional amendment is adopted by the voters at the 1983 general election. Consistent with the provisions of SJR 103, an independent redistricting commission for Washington State is established. The Commission, beginning in the 1990s, would be responsible for both legislative and congressional redistricting. Following general provisions are included:

COMMISSION COMPOSITION: The Commission is composed of four voting members and one non-voting member. One voting member is appointed

by each of the four legislative leaders. These four members select the fifth nonvoting member who serves as chairperson.

Only a registered voter may serve as a member. Elected officials and lobbyists are prohibited from serving on the Commission. Commission members are prohibited from participating in election campaigns while in office. Commission members are subject to the financial reporting requirements of the public disclosure law. Members must take and sign an oath before serving on the Commission.

COMMISSION POWERS AND DUTIES: The Commission is required to adopt rules, act as a liaison with the U.S. Census Bureau, conform with the provisions of the public records and open public meetings laws, and file a comprehensive report with their plan. They are authorized to hire staff and to receive administrative support from the Secretary of State, Treasurer, Attorney General and the Legislature.

The Commission is authorized to reimburse witnesses for necessary expenses. Commission members receive \$50 per day spent in the performance of their duties.

DISTRICT CRITERIA: Districts must be as nearly equal in population as is practicable. Consistent with the equal population criteria, districts shall be:

- a) drawn to coincide with boundaries of political subdivisions and areas recognized as communities of interest;
- b) composed of convenient, contiguous and compact territory; and
- c) drawn to encourage fair and effective representation.

Districts may not purposefully be drawn to favor or discriminate against any political party or group.

The Commission's plan may not provide for a number of legislative districts different than that established by the Legislature. House districts are to be uniformly established so that if a senatorial district is divided in the formation of representative districts, all senatorial districts shall be so divided.

JUDICIAL REVIEW: The State Supreme Court is given original jurisdiction over all cases involving congressional or legislative redistricting. Further, the Court is designated to make appointments and



to prepare a plan if established timelines are not met by the originally designated authority.

LEGISLATIVE REVIEW: The Legislature has limited authority to amend the Commission's plan. Following submission of the plan, the Legislature has the next thirty session days to amend the plan. Any amendment must be approved by two-thirds vote and may include only 2 percent of the population of any district.

EFFECTIVE DATE: The Commission's plan, with any legislative amendment, or the plan prepared pursuant to court order if the Commission fails to adopt a plan, constitutes the redistricting law until the next plan is adopted during the next decade. The plan takes effect immediately upon passage by the Legislature, expiration of the Legislature's 30 days or, in the event the Commission fails to adopt a plan, upon approval by the Court.

TIMELINE: The following timeline is established. (1990s are used as examples.)

- January 15, 1991 First four commissioners are appointed.
- January 31, 1991 Fifth member selected.
- February 1, 1992 Commission must complete redistricting and submit a plan to the Legislature.
- March 2, 1992 Legislature's deadline for amendment. (Thirty session days)
- July 1, 1992 Commission ceases to exist.

MODIFICATION OF A REDISTRICTING PLAN: The Legislature may, upon passage of legislation by a two-thirds vote of each house, reconvene a commission for the purpose of modifying a plan. Three of four voting members must approve any modification to a plan within 60 days of the effective date of the legislation. The Legislature has limited authority to amend the Commission's modification. Following approval of modification by the Commission, the Legislature has the next 30 days to amend the modification. Any legislative amendment may not include more than 2 percent of the population of any district. A modification to a redistricting plan takes effect upon legislative approval of an amendment to the Commission's modification or expiration of the time for the Legislature to act.

Statutes establishing a redistricting commission which were enacted in 1982 are, with one exception, repealed. Provisions relating to local redistricting (RCW 29.70.100) are retained. The superior court is given jurisdiction to review local redistricting plans.

Rule Making Authority: The act delegates new rule making authority to the State Redistricting Commission.

VOTES ON FINAL PASSAGE:

Senate	44	5	
House	86	9	(House amended)
Senate	42	4	(Senate concurred)

EFFECTIVE: November, 1983 (if SSJR 103 is approved by the voters)

**SB 3120**

C 11 L 83

By Senators Peterson, Zimmerman, and Thompson

Changing the manner in which port commissioner vacancies are filled.

Senate Committee on Local Government

House Committee on Local Government

BACKGROUND:

With the exception of the Port of Seattle, which has five commissioners, and the Port of Tacoma which was just authorized to have five commissioners, port districts have three commissioners.

Existing law provides that when a vacancy is created because of death or resignation of a member, the majority of remaining port commissioners make an interim appointment until the office is filled at the next general election. If there are enough vacancies so that a majority does not exist (two vacancies or three vacancies depending on the number of commissioners), then the county legislative authority makes an appointment to create a majority and the new majority makes the final appointment.

Several practical questions arise when the present law is implemented: (1) Without a time limit, how long can the port commissioners wait to make an interim appointment? (2) What happens if the port commissioners fail to act because they cannot agree on a person to fill the office?

While the county legislative authority has fifteen days to make appointments, RCW 53.12.150 is silent on how long the port district commissioners have.

## SUMMARY:

Port district commissioners must make an appointment within fifteen days of the vacancy; if they fail to do so, the county legislative authority shall make the appointment. In the case of multiple vacancies the county legislative authority makes enough appointments to create a majority of port commissioners and the port commissioners then fill the remaining vacancy or vacancies. If the port district commissioners fail to act in fifteen days after the legislative authority has created a majority or within fifteen days after the effective date of the act, then the county legislative authority shall make the remaining appointments.

Any appointment made to fill a vacancy in the office of port commissioner is ad interim until the next general election.

## VOTES ON FINAL PASSAGE:

Senate	47	0
House	96	0

EFFECTIVE: March 10, 1983

**SB 3123**

C 209 L 83

By Senators Peterson, Hansen and Sellar (By Department of Licensing Request)

Providing that only one transcript recording a conviction must be sent by department of licensing to hearings officers.

Senate Committee on Transportation

House Committee on Transportation

## BACKGROUND:

Several years ago, the habitual traffic offenders program was judicially administered and the Department of Licensing was required by statute to provide the courts with three abstracts of the individual's traffic infraction history. The Department of Licensing is now the statutory administrator of the program, and the three copies of the driver's records are no longer needed.

## SUMMARY:

The Department of Licensing is required to certify one abstract or transcript recording convictions

and findings of traffic infractions for its hearing officers of any person falling under the definition of an habitual offender in the event a hearing is requested.

## VOTES ON FINAL PASSAGE:

Senate	43	0
House	95	0

EFFECTIVE: July 24, 1983

**SSB 3124**

C 210 L 83

By Committee on Social and Health Services (Originally sponsored by Senators McManus and Deccio) (By Office of Financial Management Request)

Modifying provisions relating to the Washington health care facilities authority.

Senate Committee on Social and Health Services

House Committee on Social and Health Services

## BACKGROUND:

The Washington Health Care Facilities Authority accepts and processes applications from health care facilities for the sale of tax exempt bonds. The Authority was officially activated on June 1, 1980. Under Chapter 70.37 RCW, the Authority's primary role is to issue tax exempt, nonrecourse revenue bonds to assist in the building, remodeling, and refinancing of debts incurred for health care facilities.

Currently the Authority consists of five members with the Governor serving as chairman. Meetings are called on very short notice subject to favorable conditions of the bond market. The Governor's schedule often does not allow for meetings called on only a few days notice, but the Authority must meet when the market is favorable. A designee of the Governor with his voting powers would be able to attend all meetings even on short notice.

For a variety of reasons, many health care providers have been reorganizing their corporate structures and affiliating with other related corporations. This might be done to take advantage of the strength of numbers, purchasing power and

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**SSB 3124**

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bargaining power. Other reorganizations are undertaken for tax purposes, such as the spin-off of related corporations conducting activities which would reduce a hospital's ability to generate the maximum amount of revenues from third-party reimbursement programs such as Medicare or Blue Cross. In either of these situations, it would be advantageous in financings conducted through the Authority to consider some of these related nonprofit corporations as "participants."

**SUMMARY:**

The Governor may designate an employee of the Governor's Office to act on his behalf at the Health Care Facilities Authority meetings when the Governor cannot attend. The designee is given the same voting powers as the Governor. The Governor may designate another member to preside at meetings which he cannot attend.

Interest coupons appurtenant to bonds may be signed by facsimile signature if the Authority finds this necessary. Interest rates on bonds issued by the Authority may be fixed or variable.

Nonprofit affiliates acting on behalf of other public or private nonprofit health providers may be "participants" in order to be eligible for financing a project through the Health Care Facilities Authority.

**VOTES ON FINAL PASSAGE:**

Senate	44	2	
House	96	0	(House amended)
Senate	46	0	(Senate concurred)

**EFFECTIVE:** May 16, 1983**SSB 3127**

C 211 L 83

By Committee on Judiciary (Originally sponsored by Senators Talmadge, Bender, Hemstad, Goltz and Shinpoch)

Modifying the distribution of industrial insurance awards and settlements.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

Under the Industrial Insurance Act, a worker is prohibited from suing his or her employer or co-workers for causing injuries. A worker, the Department of Labor and Industries, or a self-insurer may, however, bring a lawsuit against a third party for causing the injuries. If the worker obtains a recovery from that third party, the worker must pay the attorney's fees and costs and must repay the Department of Labor and Industries or self-insurer for the benefits that have been advanced. If the Department or self-insurer brings the suit, any award or settlement received is paid to the injured worker after deductions of the Department's or self-insurer's costs in bringing the action and any benefits already paid to the injured worker.

The Department is not authorized to compromise its lien.

**SUMMARY:**

The distribution of any award received in an action brought by the Department or self-insurer is changed to conform with actions brought by the worker individually. The award is divided as follows: 1) the Department or self-insurer receives back its expenses incurred in bringing the action; 2) the worker receives 25 percent of the balance of the award; 3) the state receives the full amount of the benefits it has already paid the injured worker; and 4) the worker receives the remaining balance.

In actions brought individually by the injured worker, the Department or self-insurer will pay its proportionate share of attorney's fees when an injured worker succeeds in obtaining a recovery. The provision relating to the Department's or self-insurer's payment of attorneys' fees and costs is clarified to include amounts already received and those due under the award. Their proportionate amount of costs will be established at the outset; if they later pay the worker additional benefits because the injury continues and the damages exceed the amount awarded to the injured worker, the Department's or self-insurer's proportionate costs are not raised.

The Department of Labor and Industries or self-insurer is authorized to compromise its lien when circumstances appear appropriate.

For non-self insurer employers where there is a third party claim recovery, the Department of

Labor and Industries shall adjust the employer's experience rating to reflect the reimbursement from the third party.

These changes apply to all actions where judgment or settlement has not already taken place.

VOTES ON FINAL PASSAGE:

Senate	31	7	
House	98	0	(House amended)
Senate	39	7	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3130**

C 127 L 83

By Senators Talmadge, Hemstad and Woody

Awarding attorneys fees in frivolous actions or defenses and to prevailing parties acting as private attorneys general.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

The courts in Washington are experiencing significant congestion. Such congestion might be reduced if lawsuits, claims and defenses brought solely for harassment, delay, nuisance or spite were eliminated. One method of eliminating such claims and defenses is to award attorneys' fees to the prevailing parties in frivolous and unreasonable lawsuits. (As a general rule, each party to a lawsuit is responsible for his or her own attorneys' fees, although statutes and case law provide for numerous exceptions to the general rule.) For example, the Business Corporation Act presently allows attorneys' fees to the prevailing party in stockholder suits which are determined to be brought without reasonable cause.

In addition, as a matter of public policy, the Legislature by statute often allows a successful litigant to recover attorneys' fees in order to encourage enforcement of a particular part of the law. It is oftentimes extremely costly to private parties to challenge legislative or executive actions which are clearly unlawful, or to institute a lawsuit to enforce important public policy. If the responsible

public official declines to initiate court action, the interests of the public are often left unprotected because of the prohibitive cost to private litigants. For this reason, many legal commentators have advocated enactment of a statute to encourage "private attorneys general" by allowing attorneys' fees to successful litigants whose actions significantly protect the public good.

SUMMARY:

Attorneys' fees may be awarded to the prevailing party in a civil action when the trial judge determines that an action or defense of the nonprevailing party was frivolous and advanced without reasonable cause.

Future Obligation: The Law Revision Commission is required to conduct a study on the feasibility of private attorneys general statutes and report its findings to the Legislature by January 1, 1984.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	95	1

EFFECTIVE: July 24, 1983

**SB 3134**

C 212 L 83

By Senators Peterson, Guess and Hansen (By Department of Licensing Request)

Extending the license fee on the use of certain special fuels in motor vehicles.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

In lieu of a per gallon tax on propane, an annual license fee is imposed on the use of the fuel in motor vehicles. The fee is based on the vehicle's licensed gross vehicle weight and ranges from \$45 for a vehicle whose tonnage is under 6,000 pounds to \$250 on a vehicle with tonnage in excess of 36,000 pounds. The annual license fee and the propane fuel exemption from the special fuel tax expire on July 1, 1983.

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**SB 3134**

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**SUMMARY:**

The July 1, 1983, expiration date of the annual license fee for vehicles using propane is removed, thus extending the fee and continuing the exemption from the special fuel tax imposed in RCW 82.38.030.

The annual license fee for propane vehicles is indexed to provide that the license fee be increased by the same percentage as any future increases in the present 12-cents per gallon motor vehicle fuel tax rate.

Prior to the start of each regular legislative session in odd-numbered years, the Legislative Transportation Committee is directed to review the policy of the state concerning fees imposed on nonpolluting fuels under RCW 82.38.075.

Revenue: The annual license fee for propane powered vehicles is extended beyond July 1, 1983, and the exemption from the state fuel tax for propane fuels used in certain vehicles is continued.

**VOTES ON FINAL PASSAGE:**

Senate	41	4	
House	90	2	(House amended)
Senate	42	4	(Senate concurred)

**EFFECTIVE:** May 16, 1983

**SB 3140**

C 128 L 83

By Senators Thompson, Zimmerman and Woody

Modifying the number of required council members in code cities arising from a population change.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

A noncharter code city may elect to adopt the mayor-council or the council-manager form of government. Under either form, the city council must consist of five members when there are less than 2,500 inhabitants, and seven members when there are 2,500 or more inhabitants. When the population of a noncharter code city which has a

mayor-council or council-manager form of government increases to 2,500 or more inhabitants, the existing five-member council has no voice in determining whether the council should expand to a seven-member council.

**SUMMARY:**

When the population of a noncharter code city which has a mayor-council or council-manager form of government increases to 2,500 or more inhabitants, the existing five-member council may increase the size of the council to seven members upon the affirmative vote of a majority of the council. If the population of a city increases to 5,000 or more inhabitants, the number of council members must increase to seven.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	98	0

**EFFECTIVE:** July 24, 1983

**SB 3142**

C 213 L 83

By Senators Thompson and Newhouse

Modifying financial disclosure requirements for public treasurers.

Senate Committee on Local Government

House Committee on Constitutions, Elections and Ethics

**BACKGROUND:**

The State Treasurer, and the treasurer of each county, public utility district, port district, and city or town whose population exceeds 1000 is required to file an annual report with the Public Disclosure Commission. The report must include the name and address of the financial institution which holds the public account, the aggregate sum of time and demand deposits, and the highest balance held at any time during the reporting period.

The annual report's purpose is to disclose whether the treasurer invested public funds into an institution in which the treasurer has a personal interest. If treasurers could file a statement under oath that

they did not invest public funds into an institution in which they hold an interest, then the time it takes to compile and send the annual report would be reduced.

**SUMMARY:**

In lieu of filing a detailed annual report with the Public Disclosure Commission, a public treasurer shall file a statement under oath with the Public Disclosure Commission that no public funds under the treasurer's control were invested in any institution where the treasurer held an office, directorship, partnership interest, or ownership interest. If a treasurer invests public funds in a financial institution in which the treasurer has an interest, then the treasurer must file the full annual report with the Commission.

The statement under oath or the annual report may be filed with the report required of elected and appointed officials, or it may be filed separately.

A county finance committee must file the full annual report with the Public Disclosure Commission if it invests public funds in an institution in which any member of the committee held an office or interest during the reporting period.

**VOTES ON FINAL PASSAGE:**

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

EFFECTIVE: July 24, 1983

**SB 3144**

C 78 L 83

By Senators Peterson, Guess and Hansen (By Department of Licensing Request)

Modifying provisions on special fuel trip permits.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

Under present law, it is the responsibility of State Patrol personnel to individually prepare special fuel trip permits for commercial vehicles entering the state which do not already have a special fuel users' license. The permits may be purchased for up to twenty days for \$3 per day plus a \$1 filing fee and a \$10 administration fee.

The last Legislature authorized the advance purchase of blank vehicle trip permits which the owners and operators of commercial vehicles could fill out in advance, thereby decreasing the workload of State Patrol personnel at ports of entry and weigh stations. There is currently no statutory authorization for advance purchases of blank permit forms with regard to special fuel trip permits.

**SUMMARY:**

The time period for a special fuel trip permit has been changed from a permit for up to twenty days at a cost of \$3 per day, plus a \$10 administration fee and \$1 filing fee, to a three-day period at a cost of \$10 per permit, a filing fee of \$1, and an excise tax of \$9.

The permit is applicable to one vehicle only and must be completed and signed by the vehicle operator before using the public highways of the state. Any correction of information on the permit causes it to become invalid. Failure to comply is a gross misdemeanor.

Blank permits may be obtained in advance from field offices of the Department of Transportation, the Washington State Patrol, the Department of Licensing or other agents appointed by the Department of Licensing. The department may appoint county auditors or businesses as agents for the purpose of selling trip permits to the public. These agents may retain the filing fee to defray handling expenses.

Revenue: The fee for a three-day special fuel trip permit has been changed to \$20.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	93	0

EFFECTIVE: July 24, 1983

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**SB 3145**

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**SB 3145**

C 242 L 83

By Senators Peterson, Guess and Hansen (By Department of Licensing Request)

Modifying provisions on special fuel taxes.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

Certain provisions of the Special Fuel Tax Act (Chapter 82.38 RCW) are in need of clarification.

Disputes have arisen over liability for the payment of special fuel taxes when leased equipment is used.

Sellers of marine fuel are required to procure surety bonds to cover special fuel tax liabilities despite the fact that special fuel used for marine purposes is exempt from the special fuel tax.

Clarification and consolidation of penalties and interest for delinquency of special fuel tax payments are sought.

**SUMMARY:**

Sellers of special fuel used for marine purposes which is exempt from the special fuel tax are exempt from a current requirement to procure a \$500 surety bond to cover any potential special fuel tax liability.

Lessees of equipment using taxable special fuel are liable for fuel taxes due from the use of such equipment when used for more than 30 days. Lessors are liable to collect and pay such taxes when equipment is used for fewer than 30 days.

Provisions prescribing penalties and interest due on delinquent special fuel taxes are consolidated into a single subsection of RCW 82.38.170 for clarity.

Provisions governing the settlement of outstanding fuel tax cases in default are subject to the same provisions governing reciprocal or proportional registration of vehicles used or owned by persons or companies in other states.

Users of special fuel for fuel tax-exempt off-highway purposes are exempted from the requirement to submit annual reports of fuel purchases and consumption to the Department of Licensing.

**VOTES ON FINAL PASSAGE:**

Senate	41	5	
House	96	0	(House amended)
Senate	40	4	(Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3151**

C 129 L 83

By Committee on Local Government (Originally sponsored by Senators Thompson, Hayner, Bauer and Barr)

Modifying the provisions which limits the hiring of attorneys by counties.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

The duties of the prosecuting attorney include: acting as the legal adviser to the board of county commissioners and all other county officers, and appearing for and representing the county in all criminal and civil actions in which the county may be a party.

A board of county commissioners is prohibited from hiring special attorneys to perform a duty which a prosecuting attorney is authorized to perform unless the contract is approved in writing by a superior court judge of the county, or a majority of the judges when there is more than one judge. Some units of local government have authority to hire their own attorneys. The State Constitution requires criminal prosecutions be performed by the elected county prosecutor.

**SUMMARY:**

A county legislative authority may hire one or more attorneys to perform any duty, other than criminal prosecution, which the prosecuting attorney may perform, if a written contract to this effect is approved by the presiding superior court judge. Any such contract shall be limited to two years in duration.

**VOTES ON FINAL PASSAGE:**

Senate	30	17
House	55	38

EFFECTIVE: July 24, 1983

## 2SSB 3155

C 72 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Gaspard, Talmadge, Bauer, Warnke, Thompson, von Reichbauer, Shinpoch, Bottiger, Patterson, Peterson, Goltz, Vognild, Bender, Guess, McManus, Granlund, Fleming, Kiskaddon, Benitz, Lee and Woody)

Requiring a high technology education training program.

Senate Committee on Education

Senate Committee on Ways and Means

House Committee on Ways and Means

### BACKGROUND:

Washington has no state policy providing for a coordinated state program in high technology education and training at the post-secondary level. This state's colleges and universities have shown the ability to provide training in high technology fields, however, these efforts are not coordinated on a statewide basis. The lack of a coordinated approach to training and research in the high technology fields, which promise to play a significant role in the economy of the nation and the state in the near future, could act to prolong economic recovery in this state.

### SUMMARY:

The Washington High Technology Education and Training Act defines high technology education and its role in the economic recovery of the state. Legislative intent is established promoting a coordinated statewide program for high technology education and training at the two-year, four-year and graduate levels and directing that such a program be implemented during the current biennium.

The Washington High Technology Coordinating Board (made up of representatives from business, industry, labor and education institutions) is created to oversee and coordinate the delivery of post-secondary high technology education in this

state. The board will oversee the implementation of this act and be an advisory board to the participating institutions of higher education and to the Legislature on matters pertaining to high technology education.

The Council for Postsecondary Education is to provide the staff support for the High Technology Coordinating Board.

The High Technology Coordinating Board is to solicit gifts, grants and conveyances to be directed to institutions of higher education for the support of the High Technology Education Program.

The board is also to solicit support from business and industry and the federal government for the High Technology Education Program.

The High Technology Coordinating Board shall expire on June 30, 1987 unless extended by law.

The High Technology Coordinating Board shall make recommendations regarding the establishment of regional consortia for high technology education and the establishment of baccalaureate degrees in high technology fields. Upon approval by the High Technology Coordinating Board, consortia may be established between the state colleges and regional universities, the community colleges and business, industry and labor interests in their respective geographic areas for the delivery of high technology education at the associate and baccalaureate degree levels. The consortia would operate as follows: both two-year and four-year degree programs will be offered at the campuses of the community colleges. The first and second years of the programs offered at community college facilities will be operated and administered by the respective community college. The third and fourth years of the programs offered at these facilities will be operated and administered by the respective state college or regional university. The baccalaureate degrees may also be offered at the main campuses of the state colleges and regional universities. The Washington High Technology Coordinating Board has the responsibility for overseeing the coordination of any such consortia.

The University of Washington and Washington State University are authorized to offer masters and doctorate programs in high technology fields subject to review and approval by the Council for Postsecondary Education.



A Washington high technology center will be established at the University of Washington to provide graduate level high technology education and to be a high technology research and development center.

A statewide telecommunications system administered by Washington State University will be created. The system will consist of several two-way interactive microwave facilities located throughout the state. These facilities will be able to receive and send signals simultaneously and could be used by any college or university to provide graduate and continuing education in high technology fields throughout the state.

A southwest Washington joint center for education will be established in Clark County. The center will be administered by Washington State University in cooperation with Clark Community College. The center will be designed to serve the need for graduate and continuing education in high technology fields in the southwest Washington area.

Appropriation: \$1,589,000 to the University of Washington for operation of the Washington High Technology Center in 1983-85 and for the planning of a permanent center;

\$1,000,000 to Washington State University for administrative support and specialized technology education programs at the Southwest Washington Joint Center for Education;

\$1,496,000 to Washington State University for the purposes of the statewide off-campus telecommunications system;

\$320,000 to the University of Washington for the Seattle link to the statewide telecommunications system;

\$3,500,000 to the State Board for Community College Education to establish no more than four demonstration programs for technician training;

\$2,236,000 to the Superintendent of Public Instruction to establish and operate regional computer demonstration centers in educational service districts, and to contract with the Pacific Science Center for the purchase of computer, science and mathematics education services;

\$166,750 to the Council for Postsecondary Education to serve as financial agent for the board and its staff;

\$250,000 to the High Technology Coordinating Board to carry out the purposes of this act.

Rule Making Authority: New rule making authority is granted to the Washington High Technology Coordinating Board to implement this act.

VOTES ON FINAL PASSAGE:

First Special Session

Senate 44 2  
House 96 0 (House amended)  
Senate (Senate asked House to  
recede)

Free Conference Committee

House 98 0  
Senate 43 4

EFFECTIVE: July 1, 1983

**SSB 3156**

C 243 L 83

By Committee on Parks and Ecology (Originally sponsored by Senators Talmadge, Hughes, Wojahn, Lee and von Reichbauer)

Establishing the Puget Sound water quality authority.

Senate Committee on Parks and Ecology

Senate Committee on Ways and Means

House Committee on Environmental Affairs

BACKGROUND:

Diseased bottom fish found near Puget Sound's urban shorelines where toxic chemicals and heavy metals are most prevalent have been reported. Additional information is needed to determine the extent of the problem.

SUMMARY:

The Puget Sound Water Quality Authority is established and is composed of 21 members appointed by the Governor. Representation is from all interested parties, including federal, state, and local government, environmental and health agencies, business and the fisheries and tourism industries. The Authority is to conduct studies of the water quality of Puget Sound and report any recommendations for legislative and regulatory modifications to the proper authority. Staff is provided

by the Department of Ecology. Additional staff, if needed, may be appointed by the Authority.

Future Obligation: The Authority is directed to make periodic reports to appropriate federal, state, and local agencies, and the Legislature.

Termination Date: The Puget Sound Water Quality Authority is subject to the sunset review procedures and will cease to exist on June 30, 1987, unless extended by law.

VOTES ON FINAL PASSAGE:

Senate	38	4	
House	96	0	(House amended)
Senate	39	5	(Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3161**

C 130 L 83

By Committee on Local Government (Originally sponsored by Senators Granlund, Zimmerman and Thompson)

Authorizing service districts for authorized county and road district facilities and improvements.

Senate Committee on Local Government

House Committee on Local Government

BACKGROUND:

It is difficult for a county legislative authority to form a local improvement district to fund the costs associated with constructing and maintaining bridges and some roads because it is hard to determine how each parcel of property is benefited. A county legislative authority could recover these costs if service districts were authorized for this purpose.

SUMMARY:

Counties are authorized to establish service districts to fund and provide capital or maintenance costs, or increased levels of such costs, for bridge or road improvements.

A service district can be created in all or a portion of the unincorporated area of a county. Areas

within cities and towns can only be included if the city or town governing body approves the inclusion. Such a service district can only be created if a public hearing on the proposal is held and the county legislative authority determines that it is in the public's interest to form the service district. Direct voter approval would not be needed to create a service district. The county legislative authority is the governing body of a service district and the electors of a service district are all registered voters residing in the service district.

If a declaration of termination is filed before the establishment of a service district, and it is signed by real property owners who represent at least 60 percent of the assessed valuation of the proposed district, proceedings to establish the service district then shall be terminated.

The following sources of funding for service districts are established: (1) single year voter approved excess property tax levies; (2) multi-year, voter approved, excess property tax levies used to redeem general obligation (G.O.) bonds; (3) the issuance of G.O. bonds; and (4) the formation of local improvement districts (LID's). No taxes can be imposed without voter approval.

Additional authority is included to allow: (1) exercising of the powers of eminent domain; 2) acceptance of gifts and grants; and 3) statutes to be liberally construed. All projects constructed by a service district must be competitively bid and contracted.

VOTES ON FINAL PASSAGE:

Senate	32	13
House	58	38

EFFECTIVE: July 24, 1983

**SB 3162**

C 25 L 83 E1

By Senators Talmadge, McDermott and Granlund

Modifying the property taxation on nonprofit organizations.

Senate Committee on Ways and Means

House Committee on Ways and Means

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**SB 3162**

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**BACKGROUND:**

Property which is both owned by a nonprofit, non-sectarian organization and used for character-building, benevolent, protective, or rehabilitative "social services" is exempt from property taxes.

Property must fit both the "nonprofit ownership" and the "social services use" prerequisites, in order to be totally or partially exempt under RCW 84.36.030. Therefore, the commercial use of a property site, such as the running of a secondhand thrift store, is considered taxable if that property is used exclusively for "income-generating" or commercial purposes -- none of which is applied to social services of the character-building, benevolent, protective, or rehabilitative nature.

**SUMMARY:**

The definition of exempt property is extended to allow the sale of donated merchandise as a permissible, "noncommercial" and tax exempt activity, provided the proceeds are directed toward the furtherance of the agency's character-building, benevolent, protective, or rehabilitative services. This tax exemption is effective for property taxes levied in calendar year 1983 and due and payable in calendar year 1984 and thereafter.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>	
Senate	39 0
<u>First Special Session</u>	
Senate	45 0
House	97 0

**EFFECTIVE:** August 23, 1983**SSB 3163**

C 15 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Fleming, Jones, Pullen, McDermott and Talmadge)

Granting reparation to certain state employees who suffered salary losses during World War II.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

The study of the national relocation policy for 127,000 citizens of Japanese ancestry and Japanese immigrants residing in the continental United States during World War II has continued since the termination of hostilities in that war.

On February 19, 1942, President Roosevelt issued Executive Order No. 9066, which gave the military, for the first time in United States history, control over U.S. citizens. The Order provided that the military could specify certain restricted areas and "alien enemy", which included anyone of Japanese ancestry, who not only were restricted from these areas but could be relocated to centers away from these areas. The entire island of Bainbridge Island was so designated and on March 24, 1942, the first affected persons excluded from such restricted areas were those living on Bainbridge Island.

On March 19, 1943, both the U.S. House of Representatives and the U.S. Senate by voice vote, passed Public Law 503 and it was signed by the President on March 21, 1943. This gave statutory authority for military actions under Executive Order 9066.

With these two official acts of the national government, most persons of Japanese ancestry, regardless of citizenship, were dislocated from their homes and places of business and placed in one of eight relocation centers or camps located through the west; two more were located in Arkansas.

In 1944, in the case of Ex Parte Endo, the United States Supreme Court unanimously ruled internment unconstitutional for U.S. citizens, because loyalty to the country of those who were American citizens was never questioned.

**SUMMARY:**

Persons who left or were terminated from state employment as a result of the promulgation of Executive Order No. 9066 and incurred salary losses thereby, are eligible to file a claim with the state for reparation of those losses as provided by this act.

The claim is to be filed with the Department of Personnel which determines eligibility. A claim may be made by a surviving spouse on behalf of the estate of any state employee who left or was terminated from state employment as a result of the promulgation of Executive Order No. 9066. If

determined eligible, the claim is forwarded to the State Treasurer. Upon demand, the Treasurer is authorized to pay \$2,500 for each of two years. Although death prior to claim voids eligibility, death subsequent to making a claim does not void payment to the estate if deemed eligible for payment.

Appropriation: An appropriation of \$160,000 is made to the Department of Personnel from the general fund.

Rule Making Authority: The Department of Personnel may adopt rules relating to determination of eligibility and the processing of claims.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>	
Senate	35 11
<u>First Special Session</u>	
Senate	33 10
House	57 37

EFFECTIVE: August 23, 1983

**SSB 3164**

C 46 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Moore, Sellar, Bottiger and Clarke)

Modifying provisions regulating acquisition of control of domestic insurers.

Senate Committee on Financial Institutions

House Committee on Financial Institutions

BACKGROUND:

A U.S. Supreme Court decision declared an Illinois law void because it was in conflict with a federal statute which was designed to protect the interests of shareholders. The current Washington Insurance Holding Company Act conflicts with federal law (the Williams Act) in terms of the time period in which a tender offer may commence. In addition, the Washington law states that the protection of shareholders' rights is one of its purposes.

SUMMARY:

Washington law conforms with federal court action by amending the time period in which a tender offer may commence. Its intent is clarified to protect policyholders, beneficiaries, claimants, and the insuring public by eliminating any reference to shareholders' interests. A clause is also added which allows the Commissioner to disapprove of a transaction if there has not been full compliance with this or other titles.

VOTES ON FINAL PASSAGE:

Senate	41	5
House	96	0

EFFECTIVE: July 24, 1983

**SB 3165**

C 79 L 83

By Senators Barr, Hansen, Patterson and Hayner

Extending state route 21 to Kahlotus.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

State Route 21 runs in a north-south direction in Central Washington from a junction with State Route 395 near Lind by way of Odessa, Wilbur, and Republic to the Canadian border at Danville. Approximately 26 miles south of Lind is the town of Kahlotus and the two communities are connected by county roads under the jurisdiction of Adams and Franklin Counties. Approximately five miles south of Kahlotus is a grain terminal at Windust, on the Snake River.

The recent abandonment of certain rail lines in Central Washington has increased the amount of grain being transported by truck. A portion of this grain is trucked along SR 21 and then by county road through Kahlotus to the Snake River for loading onto river barges. Adams and Franklin Counties argue that since much of this grain traffic originates in counties north and east of Adams County, and therefore the traffic is not of local nature, SR 21 should be extended southerly to Kahlotus. Designation of the county road as a state highway would make the State Department of

# SB 3165

Transportation responsible for construction and maintenance related to the roadway.

### SUMMARY:

State Route 21 is extended southerly by approximately 24 miles, from a junction with SR 395 near Lind to the town of Kahlotus.

### VOTES ON FINAL PASSAGE:

Senate 44 0  
House 85 8

EFFECTIVE: July 24, 1983

## SSB 3166

C 214 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Bauer, Sellar, Moore and Lee)

Modifying provisions relating to notary fees.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

House Committee on Judiciary

### BACKGROUND:

The current fee schedule for notaries under RCW - 42.28.090 was enacted in 1907, and has not been changed since. Meanwhile, the cost of performing notarial services has risen, and the bond required for a person to become a notary was increased from \$5,000 to \$10,000 last year.

### SUMMARY:

The limits on fees for notarial services are raised as follows:

	Old Limit	New Limit
Attesting instruments of writing	\$1	\$3
Taking acknowledgement of two persons	\$1	\$3
Taking acknowledgement, each person over two	50 cents	\$2
Certifying affidavit	\$1	\$3
Registering protest of bill of exchange or promissory note	50 cents	\$2
Being present at demand, tender or deposit	10 ct/mile plus 50 cents	25 ct/mile plus \$2

Noting bill of exchange or promissory note 50 cents \$2

The fee limit for copying instrument or record is eliminated.

### VOTES ON FINAL PASSAGE:

Senate 46 0  
House 89 2

EFFECTIVE: July 24, 1983

## SB 3167

C 131 L 83

By Senator Peterson

Extending state route number 530.

Senate Committee on Transportation

House Committee on Transportation

### BACKGROUND:

State Route 20, the north cross-state highway, begins in Anacortes and runs easterly across the north portion of the state to Newport, located near the Washington-Idaho border. From Stanwood, State Route 530 intersects with Interstate 5 near Arlington and proceeds easterly approximately 28 miles to Darrington where the highway now ends. The section of SR 530 from I-5 to Darrington parallels SR 20, which is about 20 miles to the north. Approximately 18.5 miles of county roadway located in Snohomish and Skagit Counties connect SR 530 at Darrington to SR 20 at Rockport.

State Route 530 is an alternate north cross-state highway route. Northbound Interstate 5 traffic coming from Everett and other points south leaves I-5 near Arlington, travels to Darrington on SR 530 and then proceeds by county roads to a junction with SR 20 at Rockport. Skagit County argues that since much of this traffic on the county roads is from out of the area, the county roads more appropriately should be on the state highway system.

### SUMMARY:

State Route 530 is extended northerly by approximately 18.5 miles from Darrington to a junction with SR 20 at Rockport.

**VOTES ON FINAL PASSAGE:**

Senate 45 0  
House 95 0

EFFECTIVE: July 24, 1983

**SB 3172**

C 80 L 83

By Senators Guess and Peterson

Providing for the license revocation of motorists convicted of eluding police.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

A driver who willfully attempts to elude a pursuing police officer is guilty of a Class C felony, punishable by confinement in a state correctional institution for five years and/or by a fine in an amount fixed by the court of \$10,000.

**SUMMARY:**

The driver's license or permit of a person convicted of willfully attempting to elude a pursuing police officer by motor vehicle shall be revoked by the Department of Licensing.

**VOTES ON FINAL PASSAGE:**

Senate 45 0  
House 90 0

EFFECTIVE: July 24, 1983

**SSB 3174**

C 81 L 83

By Committee on Ways and Means (Originally sponsored by Senators McDermott, Peterson, Bottiger, Hemstad and Zimmerman)

Modifying provisions concerning the Washington state patrol retirement system.

Senate Committee on Ways and Means

House Committee on Transportation

**BACKGROUND:**

After June 12, 1980, a newly commissioned officer of the State Patrol is given the opportunity to make an irrevocable election to transfer their service as a cadet in the Washington State Patrol training program from the Public Employees Retirement System (PERS) to the Washington State Patrol Retirement System (WSPRS). If this election is made, the employee and employer accumulated contributions and credited interest thereon are transferred by the Department of Retirement Systems.

**SUMMARY:**

The opportunity for an irrevocable election to transfer cadet service from PERS to WSPRS is given to an active commissioned officer of the State Patrol who was a member of WSPRS on or before June 12, 1980. This election must be made by June 30, 1985. Also, a person who prospectively becomes a member or returns to being an active commissioned officer is required to make this election within one year of becoming or returning as an active commissioned officer.

The employee contributions plus credited interest thereon is to be transferred from PERS to WSPRS. The language to transfer the employer's contributions in the existing cadet transfer is stricken.

**VOTES ON FINAL PASSAGE:**

Senate 46 1  
House 86 0

EFFECTIVE: July 1, 1983

**SB 3182**

PARTIAL VETO

C 157 L 83

By Senators Bottiger and Shinpoch

Modifying provisions relating to financial institutions.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

**BACKGROUND:**

The Banking Division and the Savings and Loan Associations Division of the Department of General Administration each have a local fund. The funds consist of all moneys received by the divisions from their activities which are used to pay for the costs of operations. These two local funds are not subject to an appropriation permitting expenditures and payment of obligations.

The Garn-St. Germain bill (Depository Institutions Amendments of 1982) gave expanded powers to nationally chartered banks in certain activities. These activities include the formation of bankers' banks, purchases of bank service corporations, and lending limits. As a result, there is a disparity between the powers of national and state chartered banks, which could cause some state chartered banks to convert to a national charter to remain competitive.

Federal law delegates the power to permit interstate mergers and acquisitions of banks to the states.

Under current law, an out-of-state bank or bank holding company may not acquire or merge with a Washington based bank unless the Washington bank has actually closed.

Federal law permits interstate mergers and acquisitions of mutual banks and savings and loans which are in danger of closing.

**SUMMARY:**

All moneys received by the Divisions of Banking and Savings and Loans will go to the state general fund. All expenditures and obligations of the two divisions will be subject to appropriation.

State banks are given the authority to invest in the capital stock of any bank service corporation which engages in activities permitted by federal law.

State banks may engage in other business activities which are authorized by the federal government, or which the Supervisor of Banking has determined to be closely related to the business of banking.

A state chartered bank or trust company may acquire up to 25 percent of a bankers' bank, but may not invest more than 10 percent of its own capital and surplus in such an entity. Powers of

state chartered banks in the sale of one day federal reserve funds, and lending limits are brought in line with powers of national banks.

The Supervisor of Banking is given the power to permit an out-of-state bank holding company to acquire or merge with a Washington based bank if he finds that the bank or its holding company is in danger of closing, failing, or insolvency. Priority is given to in-state bank holding companies who offer to acquire the ailing institution on at least as favorable terms as the out-of-state offer. In making his determination, the Supervisor must consider the needs of the public and the financial structure of Washington.

**VOTES ON FINAL PASSAGE:**

Senate	27	12	
House	69	26	(House amended)
Senate			(Senate asked House to recede)
House			(House refused to recede)
<u>Free Conference Committee</u>			
House	72	24	
Senate	34	14	

**EFFECTIVE:** April 25, 1983**PARTIAL VETO SUMMARY:**

The Governor vetoed Section 11. This section repealed the dedicated revolving examination funds of the Divisions of Banking and Savings and Loan Associations of the Department of General Administration. (See VETO MESSAGE)

**SB 3184**

C 244 L 83

By Senators Talmadge and Clarke (By Code Reviser Request)

Authorizing the code reviser to correct double amendments in the code.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

In each legislative session, a number of code sections are amended two or more times, each amendment without reference to the others. The

vast majority of these double amendments involves no substantive conflicts; each amendment can be given full effect without impeding the other. For example, of the 22 double amendments enacted in 1982, 21 of them appear to contain no substantive conflict. These sections are usually included in the Code Reviser's correction bill introduced at the next regular session.

**SUMMARY:**

The Code Reviser is given specific statutory authority, in consultation with the Statute Law Committee, to merge these double amendments and publish a unified section in the Code. This eliminates the need for a correction bill each session; instead, the Code Reviser makes these corrections immediately following the session in which they occur. The authority is limited to those instances in which there is no doubt as to the compatibility of the amendments. The Code Reviser may also add an appropriate historical annotation to alert the reader to the nature of the revision.

Any decision of the Code Reviser, to either incorporate amendments in the same section or to decodify a section which was both repealed and amended in the same session, is to be clearly noted in the Revised Code of Washington.

**VOTES ON FINAL PASSAGE:**

Senate	45	2	
House	95	1	(House amended)
Senate	41	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3185**

C 156 L 83

By Senators Talmadge and Hemstad

Extending the term of jurisdiction for courts of limited jurisdiction.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

District court judges devote a significant amount of time dealing with defendants who have been

convicted of driving while intoxicated and other alcohol-related offenses. Such defendants are often given deferred or suspended sentences and placed on probation to insure that they obtain adequate alcoholism treatment. Oftentimes the court is not informed of probation violations until near the end of the probation period. If the probation jurisdiction of the court were extended from one year to two years, the judges would be better able to enforce the terms of probation.

**SUMMARY:**

The judges of the district and municipal courts are given authority to defer or suspend a sentence and place a defendant on probation for a period not to exceed two years. The court may revoke or modify its order suspending the imposition or execution of the sentence at any time prior to terminating probation.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	95	0

EFFECTIVE: April 23, 1983

**SB 3188**

C 22 L 83 E1

By Senators Talmadge and Hemstad

Regulating timeshare offerings in this state.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

The promotion and sale of real estate timeshares has experienced significant growth in recent years. In a number of cases, however, timeshare purchasers in Washington have lost their investment when timeshare promoters have experienced financial difficulty or bankruptcy. The Department of Licensing believes that the existing land development and security statutes are inadequate to insure protection of the public from underfinanced or inexperienced promoters.



**SUMMARY:**

A comprehensive framework is created for regulating the promotion and sale of timeshares in Washington. Timeshare refers to a purchaser's right to occupy certain premises at least five times over a period of at least five years. For a timeshare interest to fall within the terms of the statute, it is not necessary that the purchaser acquire an interest in the property which he or she has the right to occupy.

Promoters of timeshare arrangements must register with the Department of Licensing before they advertise or sell any timeshare in this state. The application procedure consists of filing a disclosure document and an application for registration.

The disclosure document describes in detail the timeshare offering being made by the promoter. It must include, among other things, information about the timeshare property, any financing or insurance arrangements, any fees or other costs to be borne by a timeshare purchaser, copies of any agreements or leases to be signed by a purchaser, any restraints on the transfer of the timeshare interest, plus any additional information which may be required by the director of the Department of Licensing.

The application for registration must provide information concerning the promoter's background (including any related legal action taken against the promoter), the promoter's current and projected financial condition, the selling and promotional costs of the timeshare offering, any liens or encumbrances that may affect the title to the timeshare property, and any additional information that the director of the Department deems appropriate.

A copy of the disclosure document must be provided to a prospective purchaser before a timeshare purchase agreement can be signed. Any purchaser may, for seven days following execution of purchase agreement, cancel the agreement by providing written notice of the cancellation to the promoter. If a purchaser has signed an agreement without receiving a disclosure document from the promoter, the agreement is voidable by the purchaser until he or she receives the disclosure document and for seven days thereafter.

Persons, other than licensed real estate brokers or salespersons, selling timeshares in this state must register with the Department of Licensing. The

Department has the authority, after notice and hearing, to suspend, deny, or revoke a timeshare salesperson's registration under certain circumstances, such as when the person has provided false or misleading information to the Department. The Department may also deny, suspend, or revoke a promoter's application or registration under certain circumstances, such as when the applicant or registrant has submitted false or misleading information, violated a provision of the timeshare act or rules issued under the act, or when the offering being promoted is fraudulent. Sale proceeds collected by a timeshare promoter may be impounded by the director to insure that an offering is adequately financed and that the funds paid by the purchasers are protected. The director can also require that a promoter establish trusts, escrows, or similar arrangements to insure the protection of purchasers' interests. Impound is not necessary where the offeror is able to convey fee simple title. Failure to comply with the act is deemed an unfair trade practice under the state's Consumer Protection Act.

The director is given a wide range of powers to investigate possible violations of the act and persons seeking to register as a salesperson or promoter. The director is also given the authority to issue cease and desist orders if violations of the law have occurred or are about to occur. The Attorney General may bring suits to enjoin violations of the act. The court, in appropriate cases, may enter any orders or judgments which are necessary to restore to any person funds or property acquired by means of an act which is illegal under the timeshare statute. Violation of an injunction issued by a court under this statute is punishable by a civil penalty of \$25,000. The Attorney General may also seek civil penalties of \$2,000 for each violation of the act.

A civil remedy is created which allows a buyer to sue the promoter for monies paid, together with interest at 10 percent per annum, and costs upon the offer of the timeshare or for damages.

The sale, advertising or promotion of timeshares without registering with the Department of Licensing is a gross misdemeanor. If done knowingly, the acts are Class C felonies. Any person who knowingly: (a) makes an untrue or misleading statement of material fact; (b) employs a fraudulent device or scheme; (c) engages in a fraudulent business practice; (d) files untrue or misleading information with the director; or (e) violates a rule

or order of the director issued under the statute is guilty of a Class C felony.

Appropriation: \$130,000 for the Department of Licensing

Revenue: The act prescribes fees to be paid to the Department of Licensing when registering a timeshare offering or applying for registration as a promoter or a salesperson.

Rule Making Authority: The director of the Department of Licensing is required to establish rules and regulations for the operation of this act.

Termination Date: Sections 1-35 are repealed June 30, 1987.

VOTES ON FINAL PASSAGE:

Regular Session  
Senate 41 0

First Special Session  
Senate 43 1  
House 97 0 (House amended)  
Senate 31 0 (Senate concurred)

EFFECTIVE: August 1, 1983

**SSB 3197**

C 113 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Wojahn, Sellar, Moore and Woody)

Providing insurance coverage for reconstructive breast surgery resulting from a mastectomy.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

BACKGROUND:

Currently, group disability insurance contracts and prepaid service plans require coverage of at least the following conditions in the policies: 1) congenital anomalies of newborn children, 2) developmental disabilities, 3) physical handicaps, and 4) alcoholism treatment. Individual disability insurance also includes the mandated services with the exception of alcoholism treatment.

SUMMARY:

Coverage for reconstructive breast surgery resulting from a mastectomy due to a condition of disease, illness or injury is added to the requirements under any individual disability, group disability, prepaid health services policies, contracts or plans including health maintenance organizations.

VOTES ON FINAL PASSAGE:

Senate 40 6  
House 88 7

EFFECTIVE: July 24, 1983

**SB 3198**

C 18 L 83

By Senators Peterson, Sellar, Hansen and Deccio (By Department of Transportation Request)

Making appropriations to the department of transportation for the Hood Canal bridge and state highway projects.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

A recent Superior Court ruling has set an April 25, 1983, deadline for payment of state-held insurance proceeds and interest resulting from the 1979 destruction of the Hood Canal Bridge to the Federal Highway Administration as partial repayment for federal emergency assistance in rebuilding the Bridge, which is now reopened for use. Repayment originally had been planned for a later period with the necessary appropriation being provided in the 1983-85 transportation budget. The earlier than anticipated deadline for payment makes a supplemental appropriation from the Hood Canal Bridge account of the motor vehicle fund--where the proceeds of the insurance payment and interest have been deposited--necessary to avoid payment of delinquency penalties to the federal government.

A \$25 million appropriation also is requested to enable the Department of Transportation to sell motor vehicle fund supported revenue bonds which were authorized in 1981. Proceeds of the bond sale will be used to continue construction in

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**SB 3198**

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progress on Category C projects already authorized by the Legislature. 1983-85 funding for these Category C projects will be included in the 1983-85 biennium transportation budget.

**SUMMARY:**

\$44 million is appropriated from the Hood Canal Bridge account for payment of the state's portion of reconstruction costs of the Hood Canal Bridge. \$25 million is appropriated from the motor vehicle fund to enable the Department of Transportation to continue construction of Category C projects already approved by the Legislature and currently in progress.

**VOTES ON FINAL PASSAGE:**

Senate 46 0  
House 97 0

EFFECTIVE: April 13, 1983

**SB 3203**

C 215 L 83

By Senators Peterson, Bender, Haley, Hemstad, Talmadge and Deccio (By Legislative Transportation Committee Request)

Requiring child restraints in motor vehicles.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

National insurance statistics have shown that motor vehicle accidents are the leading cause of deaths for children under the age of 10. Ten thousand children under the age of 5 have died as passengers in automobiles during the last 10 years. Studies indicate that the proper use of approved child restraint devices could reduce fatalities by 90 percent and injuries by 80 percent.

To date, 21 states have adopted some form of child restraint legislation.

**SUMMARY:**

The State Commission on Equipment is directed to establish standards for passenger restraint systems for children under 5 years of age and to approve those systems which meet its standards.

After December 31, 1983, a child shall be secured in a manner approved by the State Commission on Equipment whenever traveling in a vehicle owned and driven by its parent or legal guardian. The parent/legal guardian will be permitted to secure a child of one year or older with a federally approved seatbelt in lieu of a preferred separate child safety restraint device (car seat). Written warnings for violation of this law will be issued until July 1, 1984, after which time a notice of traffic infraction may be issued. Parents or guardians violating this law will be subject to a penalty assessment of not less than \$30, unless proof of acquisition of an approved device is made within 7 days of issuance of a notice of infraction.

Failure to comply with the requirements for use of child restraint systems shall not constitute negligence by a parent or legal guardian, nor shall such failure be admissible as evidence of negligence in any civil action.

Rule Making Authority: The act delegates new rule making authority to the State Commission on Equipment to adopt standards for child restraint systems by October 1, 1983.

**VOTES ON FINAL PASSAGE:**

Senate 42 3  
House 90 0 (House amended)  
Senate 42 2 (Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3206**

C 155 L 83

By Committee on Local Government (Originally sponsored by Senators Thompson, Zimmerman and Bauer)

Modifying provisions on open public meetings.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

"Governing body" is defined in the Open Public Meetings Act as the multi-member board, commission, committee, council, or other policy or

rule-making body of a public agency. Subcommittees which operate on behalf of a governing body are not included in this definition.

**SUMMARY:**

The Open Public Meetings Act is amended to include within the definition of "governing body" any committee which is authorized to act on behalf of a governing body, conduct hearings, take testimony, or take public comment.

If by reason of fire, flood, earthquake, or other emergency, there is need for expedited action by a governing body to meet the emergency, the presiding officer of the governing body may provide for a meeting site other than the regular meeting site.

A governing body may hold executive sessions to consider negotiations on the performance of publicly-bid contracts when publicity might cause a likelihood of increased costs.

When a governing body interviews proposed appointees to fill a vacancy in an elective office, it must be done in an open meeting.

**VOTES ON FINAL PASSAGE:**

Senate	41	5
House	97	0

**EFFECTIVE:** July 24, 1983

**SB 3211**

C 49 L 83

By Senators Peterson, Patterson and Hansen (By Department of Transportation Request)

Modifying provisions on aircraft fuel taxes.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

Current law requires that the price of commercial aviation fuel be included in the computation of the variable aviation fuel tax established in 1982. This fuel is cheaper than that purchased by most non-commercial aviators and is not subject to the same taxes as fuel sold to non-commercial aviators. Recent reductions in the price of fuel have

reduced the aviation fuel tax rate to three cents per gallon, two cents below the level initially set by the 1982 Legislature. Such a rate reduction was unanticipated and the consequent reduction of revenue would hinder the Aeronautics Division's ability to execute its statutory responsibilities of search and rescue and providing assistance to public airports.

**SUMMARY:**

Only the price of aviation fuel subject to this state's variable aviation fuel tax is included in the computation of the variable aviation fuel tax established by the 1982 Legislature. An aviation fuel tax rate of five cents per gallon is resumed for the period March 1 through June 30, 1983. Beginning July 1, 1983, the variable aviation fuel tax rate is computed using only weighted average aviation fuel prices of non-commercial aviation fuel or five cents per gallon, whichever is greater.

**Revenue:** The Department of Licensing estimates that the establishment of a five cent per gallon minimum aviation fuel tax, and exclusion of commercial aviation fuel prices from the computation of the variable tax rate applied to non-commercial aviation fuel, will maintain approximately \$585,000 of revenue from this source during the 1983-85 biennium.

**VOTES ON FINAL PASSAGE:**

Senate	37	10	
House	96	2	(House amended)
Senate	42	5	(Senate concurred)

**EFFECTIVE:** May 1, 1983

**SSB 3217**

C 245 L 83

By Committee on Natural Resources (Originally sponsored by Senators Bauer, Zimmerman and Thompson)

Prohibiting commercial salmon fishing in waters connected to the Columbia river below Bonneville dam.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

The Department of Fisheries has authorized commercial salmon net fisheries in tributaries of the Columbia River below Bonneville Dam during 1980, 1981, and 1982. The fisheries are intended to harvest hatchery produced salmon after they are physically separated from mixed stocks of hatchery and naturally produced salmon in the mainstem Columbia River.

Commercial net fishing in these areas has met with some opposition from sports anglers.

**SUMMARY:**

Commercial net fishing for salmon is prohibited in tributaries and sloughs entering the Columbia River below Bonneville Dam from December until August of each year. The salmon net fishery is also prohibited if significant catches of steelhead occur during the months of September through November. The Department of Fisheries is directed to maximize recreational fishing opportunity for salmon in these tributaries.

**VOTES ON FINAL PASSAGE:**

Senate	45	0	
House	97	1	(House amended)
Senate	41	0	(Senate concurred)

**EFFECTIVE:** July 24, 1983

**SB 3221**

C 34 L 83

By Senators Rasmussen, Warnke and Hughes

Adding members to the veterans affairs advisory committee.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

The Veterans Affairs Advisory Committee serves in an advisory capacity to the Governor and to the Director of the Department of Veterans Affairs. Members of the Committee receive no compensation but do receive a per diem allowance and mileage expenses.

The 11-member Committee appointed by the Governor consists of:

- Two veterans appointed at large, including a Viet Nam era veteran;
- One representative of the Soldiers' Home and Colony at Orting;
- One representative of the Veterans' Home at Retsil; and
- One representative of each of the following congressionally chartered veterans organizations: American Legion; Veterans of Foreign Wars; American Veterans of World War II, Korea, and Viet Nam; Disabled American Veterans; Military Order of the Purple Heart; Marine Corps League; and Veterans of World War I.

Two congressionally chartered veterans organizations, the Paralyzed Veterans of America and the American Ex-Prisoners of War, are not represented on the Veterans Affairs Advisory Committee.

**SUMMARY:**

A representative of the Paralyzed Veterans of America and of the American Ex-Prisoners of War are added on the Veterans Affairs Advisory Committee, increasing the membership to 13.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	92	0

**EFFECTIVE:** July 24, 1983

**SB 3224**

C 216 L 83

By Senators Goltz, Quigg, Williams, Fuller, Hurley, McManus and Moore (By State Energy Office Request)

Authorizing the provision of heating services by governmental entities.

Senate Committee on Energy and Utilities

House Committee on Energy and Utilities

BACKGROUND:

Local governments throughout the state have expressed interest in legislation which grants them the authority to implement heating system projects. It is contended that an express grant of authority for the creation of heating systems may improve the rating and sale of bonds issued to finance such projects.

SUMMARY:

Counties, cities, towns, irrigation districts which distribute electricity, sewer, water and port districts (hereinafter municipalities) are authorized to establish heating systems and provide heating services from heat sources including, but not limited to, geothermal, biomass combustion, industrial waste heat, or energy from a cogeneration plant.

Municipalities may establish and operate heating systems without regard to their jurisdictional boundaries or the residence of the consumers. Municipalities retain full power and control over the use, distribution and price of supplying heat. The provision of heat and the establishment of heating systems by a municipality constitutes a public use and a public and strictly municipal purpose. However, nothing precludes any individual, partnership, corporation or private utility from establishing and operating a heating system.

Municipalities may acquire by purchase, gift or condemnation property or property interests within and without the municipality, but no heat source may be acquired by condemnation. Heating facilities are to be located on public property to the extent judged economically feasible by the municipality. The addition of district heating facilities to any public property or right-of-way may not create a hazard or interfere with existing uses, otherwise the expense of relocating facilities of existing users will be considered a cost and expense of installing the heating system.

The jurisdiction and control of the Utilities and Transportation Commission is preempted by the municipalities with regard to the sale, regulation, control, distribution, rates, services, charges and price of all heat supplied by the municipality.

Municipalities are given the power to use alternative heat sources in the event of an emergency or to meet start-up or peak demand requirements; make loans for the purpose of enabling suppliers

or consumers of heat to finance heating facilities within constitutional limitations; impose uniform rates for the same class of customers or service; disconnect the heating service for nonpayment of bills after reasonable notice to the consumer; charge property owners a connection fee based on a pro-rata share of the system cost; and form local improvement districts which may levy assessments and issue bonds in the manner provided by law.

The legislative authority of the municipality grants, by ordinance or resolution, the power to acquire or construct a heating system or alter an existing facility.

Any construction, alteration or improvement of a heating system by any municipality will comply with the statutory competitive bidding requirements.

A special fund may be created by municipal legislative action into which all or any designated proportions of any or all revenues derived from the heating system are to be deposited.

Pursuant to approval by the municipality's legislative authority, a municipality may issue revenue bonds against the special fund. The bonds may be issued in coupon or registered form or both. The revenue bonds will be secured by a pledge of the revenues derived from the heating system and may be secured by a mortgage covering all or part of the system. The bonds will not constitute a general indebtedness of the municipality. Municipalities may also issue revenue warrants payable from a special fund. In addition to revenue bonds, councilmanic general obligation bonds may also be issued by those municipalities which are so authorized.

If a municipality fails to pay into the special fund created for payment of revenue bonds and warrants that amount which it obligated itself to pay in the ordinance or resolution creating the fund, bondholders may bring suit against the municipality.

VOTES ON FINAL PASSAGE:

Senate	37	9	
House	74	23	(House amended)
Senate	37	9	(Senate concurred)

EFFECTIVE: July 24, 1983

2SSB 3230

C 120 L 83

By Committee on Ways and Means (Originally sponsored by Senators Fleming, Bluechel, Wojahn, Hemstad, Quigg, Deccio, Fuller, McManus, von Reichbauer, Granlund, Lee, Bender, Kiskaddon and Bauer, and By Governor Spellman Request)

Establishing the office of minority and women's business enterprises.

Senate Committee on State Government

Senate Committee on Ways and Means

House Committee on State Government

BACKGROUND:

The federal government and many units of local government have adopted laws and policies to increase participation by women and minority business enterprises (MWBE) in government contracts.

A Governor's Conference on Minority and Women's Business Enterprise was held at The Evergreen State College in 1981 as a preliminary forum for developing a statewide policy for government contracting. Subsequently, the Department of General Administration created an MWBE Advisory Committee to assist the agency in its efforts to improve contracting opportunities for minority and women's business firms. There are also programs in Seattle, Spokane and Tacoma, as well as King County, the Port of Seattle, and METRO.

Creation of a central office for minority and women's business enterprises could provide a central focus for MWBE programs, assist all other state agencies in establishing their goals in this area, and monitor implementation of their programs.

SUMMARY:

Minority and women's businesses are found to have been denied equitable competitive opportunities in participating in contracts for public works and providing goods and services. Providing the maximum practicable opportunity for increased participation by minority and women-owned businesses in furnishing goods and services

and participating in public works to state agencies and educational institutions is stated as the intent and purpose of the chapter.

"Goods and/or services" is defined to include professional services and all other goods and services. "Procurement" is defined to include the purchase, lease, or rental of any goods and services. "Public works" is defined to include all construction, alteration, repair, or improvement which a state agency is authorized to undertake. "Goals" is defined to mean annual overall agency goals expressed as a percentage of dollar volume, and is not to be construed as a minimum goal for any particular contract or for any particular geographic area. The goals shall be achievable and shall be met on a contract by contract or class of contract basis.

The Office of Minority and Women's Business is created, with the Governor appointing a director subject to confirmation by the Senate. The director is authorized to employ a deputy director and confidential secretary exempt from civil service, and such staff as necessary to carry out the purposes of the chapter.

The Office, with the advice and counsel of the Advisory Committee, is required to:

- Develop and implement programs to stimulate participation by qualified minority and women-owned businesses in supplying goods and services to state agencies and educational institutions from the private sector;
- Develop a comprehensive plan to assure that qualified minority and women-owned businesses obtain public contracts;
- Identify barriers to equal participation by qualified minority and women-owned businesses in all state agency and educational contracts;
- Establish annual overall goals for MWBE participation for each state agency to be administered on a contract by contract or class of contract basis;
- Develop and maintain a central MWBE certification program for state agencies and educational institutions. Size of business or length of time in business shall not be considered a prerequisite for certification;
- Develop and operate a system of monitoring compliance with the program;

- Adopt rules pursuant to Chapter 34.04 or 28B-.19 RCW (the State and Higher Education Administrative Procedure Acts) to implement the program. The agency rules shall encompass (1) establishment of agency goals; (2) development and maintenance of a central certification program for minority and women's business enterprises; (3) procedures for monitoring and enforcing compliance with goals, regulations, contract provisions; and (4) utilization of standard clauses by state agencies and educational institutions;
- Submit an annual report to the Governor and Legislature outlining the progress and the economic impact on the public and private sector of implementing the chapter.

An Advisory Committee on Minority and Women's Business Enterprises is created, consisting of the following:

- Eleven non-voting members: the Executive Director of the Human Rights Commission, a representative of the Council of College Presidents, the Commissioner of Employment Security, the Secretary of Social and Health Services, the Secretary of Transportation, the Director of General Administration, and the Director of Commerce and Economic Development, plus four members of the Legislature (two Senators appointed by the President of the Senate and two members of the House of Representatives appointed by the Speaker, from the respective majority and minority parties).
- Ten voting members, nine of whom shall be appointed by the Governor from the private sector. Of these nine, six shall represent minority and women-owned businesses, and three shall be from the business community. The tenth voting member shall be the Director of the Office of Financial Management.

The private sector members will serve staggered terms, with five initial members serving two years and four members serving four years. Thereafter, terms for the private sector members will be four years. Private sector members shall serve without pay, but all members shall be entitled to reimbursement for travel expenses. The Advisory Committee will elect a chairperson from among the private sector members, and six voting members constitute a quorum.

Each state agency and educational institution must comply with the annual goals established for it, covering all procurement contracts and public works.

If necessary to achieve the goals covered by the intent of the chapter, contracts shall be awarded to the next lowest bidder, if the lowest bidder does not meet the goals for the particular contract, or all bids may be rejected and new bids obtained. An apparent low bidder must be in compliance with the contract provisions as a condition precedent to the granting of a notice of award. The dollar value of the total contract used to calculate the specific contract goal may be increased or decreased to reflect executed change orders.

In addition to any other penalty or sanction provided by law, a fine not to exceed \$1,000 shall be imposed upon any person or organization which (1) prevents or interferes with a contractor's or subcontractor's compliance with this chapter or rule, or (2) violates this chapter or any rule adopted thereunder.

If a person or business does not comply with any provision of a contract required under this chapter, the state may impose a variety of sanctions, including termination of the contract and subjecting the contractor to a penalty of 10 percent of the amount of the contract or \$5,000, whichever is less. Willful repeated violations may disqualify the contractor from further participation in state contracts for one year.

A contractor who is subject to the penalty provisions of the bill is entitled to an administrative hearing and findings of fact. Any adverse decision may be appealed after the exhaustion of administrative remedies to Thurston County Superior Court or the superior court of the county in which the alleged violation occurred.

The Legislative Budget Committee is directed to conduct a program and fiscal review of the Office with a report to be prepared by June 30, 1986. The Select Joint Committee on Sunset shall conduct a preliminary sunset review of the Office to determine if the Office shall be scheduled for sunset. The preliminary sunset review report is to be prepared by June 30, 1990.

Rule Making Authority: The Office of Minority and Women's Business shall adopt rules to implement the chapter.



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**2SSB 3230**

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## VOTES ON FINAL PASSAGE:

Senate 30 15  
House 77 21

EFFECTIVE: July 1, 1983

**SSB 3239**

C 132 L 83

By Committee on Agriculture (Originally sponsored by Senators Hansen, Newhouse, Deccio, Barr, Goltz, Bauer and Benitz)

Defining "cold storage warehouse" for excise tax purposes.

Senate Committee on Agriculture

House Committee on Agriculture

## BACKGROUND:

Cold storage warehouse activities are subject to the business and occupation tax (.458 percent) and other storage warehouses are subject to the public utility tax (1.872 percent). Apples and pears are generally stored at temperatures of approximately 32 degrees. Potatoes are stored at temperatures of around 45 degrees.

The potato industry has taken exception to a recent change in tax status by the Department of Revenue as potato warehouses are no longer considered as cold storage warehouses and thus are subject to the substantially higher public utility tax.

## SUMMARY:

The term "cold storage warehouse" is defined to include warehouses that store fresh perishable fruits, vegetables, dairy products, meat, seafood, or fowl, or combinations at a desired temperature to maintain the quality of the product.

## VOTES ON FINAL PASSAGE:

Senate 42 5  
House 95 2

EFFECTIVE: July 24, 1983

**SSB 3244**

C 66 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Thompson, Jones, Bauer, Bluechel, Fuller, Granlund and Bender, and By Governor Spellman Request)

Modifying provisions on excise taxes.

Senate Committee on Ways and Means

House Committee on Ways and Means

## BACKGROUND:

Unless specifically exempted by law, health or social welfare organizations, community action councils and municipal corporations or political subdivisions of the state are subject to the B&O tax on grants or income they receive from any source.

A B&O tax of 0.33 percent is paid by meat processors and meat wholesalers. Under the current definition of meat processing, certain retailers of meat products who perform "processing" activities can qualify for this reduced B&O tax rate (as opposed to 0.44 percent).

Businesses located outside the state which make sales in this state through a direct seller's representative may or may not (depending on court decisions) be subject to this state's B&O tax.

## SUMMARY:

Health or social welfare organizations, including community action councils, performing specified services are exempt from the B&O tax. These services include weatherization assistance or minor home repair for low income homeowners or renters; energy assistance for low income homeowners or renters; and community services to low income families or groups.

Grants received by municipal corporations or political subdivisions of the state from the state or federal government are exempt from the B&O tax.

Local jurisdictions are exempt from the B&O tax except for utility or enterprise activities.

The special B&O tax rate of 0.33 percent specifically applies solely to meat processors and meat wholesalers and not meat retailers. Meat retailers will pay a tax of 0.44 percent.

Business activities "within this state" is redefined so that a person would be subject to retailing or wholesaling B&O tax only if that person (firm) (a) owns or leases real property within Washington State, (b) regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business, (c) is not a corporation in this state, and (d) makes sales exclusively through a direct seller's representative.

Revenue: An exemption for community service activities from the B&O tax is provided. An exemption for local units of government on governmental activities from the B&O tax is provided. The B&O tax on meat retailers is clarified (at 0.44 percent). An exemption for direct sellers from the B&O tax is provided.

#### VOTES ON FINAL PASSAGE:

Regular Session  
Senate 46 1

First Special Session  
Senate 43 1  
House 95 0 (House amended)  
Senate 38 8 (Senate concurred)

EFFECTIVE: August 23, 1983

## 2SSB 3245

C 161 L 83

By Committee on Ways and Means (Originally sponsored by Senators Fleming, Jones, Bottiger, Gaspard, Bluechel, Hurley, Barr, Warnke, Shinpoch, Peterson, Moore, Owen, Vognild, Williams, Talmadge, Wojahn, Bauer, Woody, Hemstad, Quigg, McManus, Hughes, Deccio, Fuller, von Reichbauer, Sellar, Bender, McCaslin, Kiskaddon and Hayner) (By Governor Spellman Request)

Establishing the housing finance commission.

Senate Committee on State Government

Senate Committee on Ways and Means

House Committee on State Government

#### BACKGROUND:

Housing finance agencies are authorized under federal law to issue tax-exempt revenue bonds

and use the proceeds to provide low-cost housing assistance. Housing finance agencies across the country vary widely in form and in how they implement the federal law. Washington is the only state without a housing finance agency.

If Washington established a housing finance agency to help provide low-cost housing, it might also help to stimulate the wood products industry and reduce unemployment in the state.

#### SUMMARY:

The Washington State Housing Finance Commission is created for the purpose of assisting in making affordable and decent housing available throughout the state, and to encourage use of Washington forest products in residential construction.

#### Structure of the Housing Finance Commission

The membership of the Commission is composed of: the State Treasurer, the Director of the Planning and Community Affairs Agency, and nine members appointed by the Governor with the consent of the Senate, including an elected local government official with experience in local housing programs, a representative of consumer housing interests, a representative from labor, a representative of low-income persons, and five members from the general public based upon geographic distribution and their expertise in housing, real estate, finance, energy efficiency, or construction. If the Planning and Community Affairs Agency is abolished, the vacancy created shall be filled by a person appointed by the Governor.

One of the five members from the general public is designated as the Chair of the Commission and serves at the pleasure of the Governor. The Governor designates three of the initial appointees to serve two-year terms. The five other members appointed by the Governor serve four-year terms. Members of the Commission serve without compensation but may be reimbursed from the funds of the Commission for travel and lodging expenses. Each member must comply with the Public Disclosure Act.

#### Powers of the Commission

The Commission is specifically empowered to: issue tax-exempt or taxable revenue bonds (up to June 30, 1986); invest in, purchase, make commitments to purchase, or take assignments from mortgage lenders of mortgages or mortgage loans; make loans or deposits to mortgage lenders for

mortgage loans; participate in federal or other housing programs; and establish eligibility standards for housing assistance. In spending the proceeds from bond sales, however, it must adhere to its housing finance plan.

The Commission is authorized to determine the pertinent characteristics of the bonds issued, and set the terms and conditions, covenants, and protective provisions of the bonds. In addition, the Commission is empowered to fix and collect fees for its services, employ or contract for technical services, obtain insurance, receive contributions, invest funds, delegate powers and exercise other powers reasonably required. The Commission is directed to adopt rules for the selection of bond counsel and underwriters.

The Commission must adopt rules for implementation of the act in accordance with the Administrative Procedure Act.

The Commission is prohibited from: using state general funds, making direct loans, exercising the power of eminent domain, levying taxes of any kind, providing unsecured loans in excess of \$2,500, and incurring an outstanding bonded indebtedness in excess of \$1.0 billion.

Bonds and expenses of the Commission are to be paid for by bond proceeds, private contributions, and grants from the federal government. Neither the full faith and credit nor the taxing power of the state or any of its subdivisions, or any municipal corporation is pledged to the payment of the bonds. No judgments or claims against the Commission may be paid out of the state's general fund. Any revenues received by the Commission to pay the principal or interest on bonds, or for reserves, do not constitute public funds of the state and are to be segregated from all other funds at all times.

#### "Housing" Defined

The term "housing" means new, existing, or improved residential dwellings. It includes land, buildings, manufactured housing, furnishings, improvements, installation of equipment and materials to accomplish energy efficiency, and dwellings constructed by a person who occupies and owns the dwelling. Bonds may be issued for multiple family dwellings as well as single family dwellings.

#### Eligibility Requirements

In addition to the federal eligibility requirements for tax-exempt bonds, the Commission is empowered to establish more restrictive eligibility requirements. Eligible individuals or families are defined as those whose income or assets are insufficient to obtain decent housing, without financial assistance, in the area in which they reside, or other persons deemed eligible by the Commission. In establishing eligibility requirements, the Commission is to consider at least: income available for housing, family size, cost and condition and energy efficiency of available housing, availability of decent housing, the age or infirmity of persons seeking assistance, and applicable federal, state and local requirements.

#### Federal Restrictions

Federal law requires that tax-exempt bonds for housing programs meet the following requirements:

- (1) Single Family Mortgages -- The home buyer cannot have owned a home within three years and must plan to live in the home. No home may have a market value greater than 110 percent of the average home in the area.
- (2) Multi-Family Dwellings -- Multi-family projects using these funds must designate at least 20 percent of their units for citizens with incomes below 80 percent of median income.

There is a ceiling on the amount of tax-exempt bonds that the state can issue for single-family dwellings, but there is no ceiling on the amount of bonds that may be issued for multiple-family dwellings. It is expected that the ceiling for single-family dwellings for 1983 will be 230 million dollars. Since the ceiling on single-family dwellings applies to all issuing authorities in the state, 80 percent of the ceiling is allocated to the Commission and 20 percent of the ceiling is allocated to other authorities.

The Planning and Community Affairs Agency (PCAA) shall distribute the allocation to the other issuing authorities in response to applications received from these authorities and based on: (1) the amount of housing to be made available by the applicant; (2) the population within the jurisdiction of the applicant; (3) coordination with federal and state housing programs; (4) the likelihood of implementing the financing during that year;

and (5) consistency with the plan of the Commission. PCAA shall distribute the allocation by February 1 of each year, except that the distribution for 1983 shall be made by September 1.

After 1983, the other issuing authorities must provide sufficient evidence to PCAA by June 1 of the likelihood of their allocation being fully used. Any portion of the allocation not confirmed for use shall be added to the allocation of the Housing Finance Commission on July 1 after notice by PCAA.

The Commission may assign a portion of its allocation to other issuing authorities.

#### Housing Plan

The Commission is required to adopt a Housing Finance Plan by resolution after at least one public hearing by December 15, 1983. Notice of the hearing is to be published in the Washington State Register and mailed to each county clerk no less than 20 days or no more than 40 days prior to the hearing. A draft of the plan shall be made available at least 30 days prior to the hearing. The development or adoption of the plan is not subject to the provisions of the State Environmental Protection Act.

The plan shall contain an estimate of the amount of bonds issued during the term of the plan and the manner in which the proceeds will be disbursed. Factors to be included in the development of the plan are the:

- (1) Use of funds for single-family and multi-family housing;
- (2) Use of funds for new construction, rehabilitation, refinancing of existing debt, and home purchases;
- (3) Housing needs of low-income and moderate-income persons, as well as elderly and mentally or physically handicapped persons;
- (4) Use of funds in coordination with housing programs for low-income persons;
- (5) Use of funds through a fair geographic distribution;
- (6) Use of financing assistance to stabilize and upgrade declining urban neighborhoods;
- (7) Use of financing assistance for economically depressed areas, areas of minority

concentration, reservations, and in mortgage-deficient areas; and the

- (8) Use of financing assistance for implementation of cost-effective energy efficiency measures in dwellings.

#### Tax Exemptions

The business and occupation tax does not apply to income received by the Commission. All real and personal property of the Commission is exempt from taxation.

Future Obligation: The Commission must adopt a general plan of housing finance by December 15, 1983 after at least one public hearing. The Commission is to report to the Legislature on the implementation of the plan at least once every two years. The Commission is required to select a nationally recognized accounting firm to perform an annual audit which shall be made available to the Governor and Legislature. The Chair of the State Finance Commission must be notified in advance of the issuance of bonds in order to promote the offering in an orderly fashion.

Rule Making Authority: The Commission must adopt rules for the use of bond proceeds by February 1, 1984. The Commission is delegated other rule-making authority necessary to implement the act.

Termination Date: The authority of the Commission to issue bonds shall expire on June 30, 1986, unless extended by law.

#### VOTES ON FINAL PASSAGE:

Senate	35	14	
House	83	15	(House amended)
Senate	35	12	(Senate concurred)

EFFECTIVE: May 11, 1983  
January 1, 1984 (Section 10)

### SSB 3248

C 75 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Lee, Wojahn, Kiskaddon, McDermott, Warnke, Patterson, Woody, Bottiger, Fleming, Rinehart, Fuller, Hemstad, Haley, Vognild, Hayner, Zimmerman, Jones, von Reichbauer, Bluechel, Granlund, Talmadge, Hurley, Shinpoch, Deccio, Craswell and Bauer)

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**SSB 3248**

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Requiring the salaries of persons in public employment to be adjusted to achieve comparable worth.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

The 1977 Legislature adopted revisions to the supplementary data required in support of its salary survey. One the revisions specified a survey of prevailing salaries of those positions which, when compared to similar salaries and positions of responsibility, judgment, knowledge, skill and working conditions, were of a lesser amount. This is known as the comparable worth survey.

The original comparable worth study was conducted in 1974, with an update in 1976. After the passage of the 1977 act, updates have been done in 1979 and 1982.

Comparable worth elements are presently factored into the salary schedules for the cities of Bellevue and Renton, the state's exempt staff, and the exempt staff of the University of Washington, The Evergreen State College and Everett Community College.

The American Federation of State, County and Municipal Employees has brought civil action against the State of Washington in the U.S. District Court, Western District of Washington, seeking to compel the implementation of a comparable worth compensation plan.

**SUMMARY:**

Four actions are required by the personnel agencies of the state.

First, both the Department of Personnel (DOP) and the Higher Education Personnel Board (HEPB) are to adjust their salary and compensation plans to reflect similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills and working conditions.

Second, salary changes necessary to rectify any differences between comparable positions are to be implemented in the 1983-85 biennium under a schedule developed cooperatively by DOP and HEPB.

Third, adjustments which are increases will be made annually to achieve comparable worth.

Finally, comparable worth compensation adjustments must be fully achieved not later than June 30, 1993.

Future Obligation: Comparable worth adjustments in salaries become mandatory after June 30, 1985.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 37 9

First Special Session  
Senate 36 7  
House 77 19 (House amended)  
Senate (Senate refused to concur)  
House 76 19 (House receded)

**EFFECTIVE:** August 23, 1983

**SB 3250**

C 133 L 83

By Senators Peterson, Patterson and Vognild (By Department of Transportation Request)

Establishing prequalifying procedures for ferry contractors.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

Contractors wishing to submit bid proposals for the construction or improvement of state highways must be prequalified by the Department of Transportation according to specific statutory requirements. These requirements are designed to insure that proposals are received only from contractors with demonstrated financial resources and experience necessary for the highway work involved.

Similar requirements are not imposed on persons wishing to bid upon construction, modification or repair of ferries or ferry system facilities, although such requirements were imposed on a one-time basis in connection with the current construction contract for six 100 car ferries.

**SUMMARY:**

No contract for the construction, improvement or repair of a ferry, ferry terminal or other facility

operated by the Washington State Ferries or for the repair, overhaul or the dry docking of any ferry operated by the state ferries may be awarded to any contractor who has not first been prequalified to perform the work by the Department of Transportation. The Secretary of Transportation shall promulgate standards prescribing prequalification criteria, which shall include demonstration of: (1) adequate financial resources; (2) the necessary organization, personnel, equipment, facilities, experience and technical qualification; (3) the ability to comply with the department's performance schedules, taking into account the outstanding work on all of the contractor's construction and repair contracts; (4) a satisfactory record of performing previous contracts; and (5) a satisfactory record of integrity, judgment and skills.

An application for prequalification shall be filed with the department, and renewed annually, containing a complete statement of the applicant's financial ability. Upon finding that an applicant is qualified in accordance with established criteria, the department shall prequalify the contractor to perform contracts for a period of one year, and shall fix the aggregate dollar amount of work, including any contract let by the department, that the contractor may have under contract and uncompleted at any one time. The department may further limit the contractor to the submission of bid proposals upon a certain class of work.

Any action of the department in refusing, modifying or revoking the prequalification of any contractor is conclusive unless an appeal is filed with the Thurston County Superior Court within ten days after receiving notice of the refusal, modification or revocation. The judicial appeal shall be heard summarily within twenty days after the appeal is taken and on five days notice to the department. The court shall hear such appeals on the administrative record before the department and may affirm the decision of the department, or reverse it if it determines the action of the department was arbitrary or capricious.

If the department finds, after the opening of bids, that facts exist that would disqualify the lowest bidder or that the lowest bidder is not competent or responsible in accordance with the standards and criteria for prequalifying contractors, the department shall reject the bid despite the prior prequalification of the bidder.

Financial information supplied by any person, firm or corporation for the purpose of prequalifying shall not be available for public inspection and copying and is specifically exempt from the state public disclosure law.

Rule Making Authority: The Secretary of Transportation shall adopt rules prescribing standards and criteria for prequalification.

#### VOTES ON FINAL PASSAGE:

Senate	44	0
House	95	0

EFFECTIVE: April 23, 1983

## SSB 3251

C 134 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild, Jones, Bottiger and Williams)

Regulating portable oil fueled heaters.

Senate Committee on Commerce and Labor

House Committee on Commerce and Economic Development

#### BACKGROUND:

The use of unvented room heaters is prohibited under the National Uniform Mechanical Code, which is adopted by reference in the State Building Code. Disagreement exists as to whether the Uniform Mechanical Code applies to the use of an unvented, portable kerosene heater inside a building if the heater is not attached to the building.

#### SUMMARY:

Portable oil-fueled heaters may be sold and used as a supplemental heat source inside certain buildings, if specific safety standards are met. These heaters must be listed and approved with a nationally recognized inspection agency, such as Underwriters Laboratories, Inc. Cities and counties may adopt more stringent local standards.

The State Fire Marshal is given sole jurisdiction over the approval of portable oil-fueled heaters.

## SSB 3251

The penalty for failure to comply with standards is a misdemeanor.

### VOTES ON FINAL PASSAGE:

Senate 48 0  
House 95 0

EFFECTIVE: July 24, 1983

## SB 3252

C 135 L 83

By Senators Hansen, Guess and Conner (By Department of Transportation Request)

Strengthening the regulation of aircraft dealers.

Senate Committee on Transportation

House Committee on Transportation

### BACKGROUND:

Laws governing regulation of aircraft dealers have not changed for 28 years, yet the number and value of aircraft purchases have increased dramatically. The Aeronautics Division of the Department of Transportation has identified three specific areas in which the current law providing for licensing of aircraft dealers has become inadequate:

- (1) Acquiring a dealer's license is voluntary on the part of a prospective dealer, making regulatory and consumer protection efforts difficult.
- (2) The current dealer's bond requirement is \$4,000.
- (3) Current law does specify certain criteria under which the department could deny, suspend or revoke an aircraft dealer's license. However, none of these includes fraud, misrepresentation or conspiracy knowingly committed by a dealer.

### SUMMARY:

Chapter 14.20 RCW is amended to:

- (1) Make aircraft dealers' licenses mandatory;
- (2) Increase the surety bond required of aircraft dealers to \$25,000; and

- (3) Allow denial, suspension or revocation of an aircraft dealer's license when a dealer has been found guilty of fraud, misrepresentation or conversion in a transaction involving the sale of aircraft.

### VOTES ON FINAL PASSAGE:

Senate 46 1  
House 95 0

EFFECTIVE: July 24, 1983

## SSB 3253

C 246 L 83

By Committee on Judiciary (Originally sponsored by Senators Rinehart, Kiskaddon, Talmadge, Bluechel, Deccio and Woody)

Requiring law enforcement officers to take certain abused children into custody.

Senate Committee on Judiciary

House Committee on Social and Health Services

### BACKGROUND:

In cases of suspected child abuse, the state is empowered to hold the child temporarily in shelter care pending a court hearing. At the hearing, the court is to order the return of the child to the parent or guardian unless there is no parent or guardian or the return would present a serious threat of substantial harm to the child. Even though a child has been determined by the court to be "at risk," the burden remains on the state during subsequent proceedings to demonstrate a continuing serious threat of substantial harm.

Doctors and hospital administrators have the power to place abused children in a 72-hour hold if they conclude the child would be in imminent danger if returned to the parent or custodian.

The Department of Social and Health Services must investigate all cases of non-accidental injuries to determine whether child abuse is present, even if a parent, guardian, or custodian's care is not involved.

SUMMARY:

Once a child has been adjudged by the court to be at risk, the shelter care decision will be modified only upon a change of circumstances justifying the return of the child. At subsequent hearings on the continued shelter care of the at risk child, the parent or guardian is to report efforts they have made to correct the conditions that led to removal.

If a doctor or hospital administrator places a hospital hold on an abused child, a follow-up monitoring period of six months by the Children's Protective Services is mandated.

The Department of Social and Health Services must investigate non-accidental injuries when the care of the parent, guardian or custodian is involved.

VOTES ON FINAL PASSAGE:

Senate	36	1	
House	96	0	(House amended)
Senate			(Senate refused to concur)

Free Conference Committee

House	96	0
Senate	44	0

EFFECTIVE: July 24, 1983

**SB 3255**

C 247 L 83

By Senators Granlund, Craswell and Owen (By Department of Transportation Request)

Extending penalties for evading toll facility payment to pedestrians as well as vehicles.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

Current law is clear in identifying the responsibility of motor vehicle operators to pay tolls when using toll bridges, tunnels or ferries. However, pedestrians are not specifically enumerated in the law requiring payment of fares.

The Washington State Ferry System plans to install automated, ticketless toll collection equipment at certain terminals. It would be desirable to ensure

that the law is sufficiently clear as to the toll-paying requirements of pedestrians and cyclists as well as motor vehicle operators.

SUMMARY:

Any person, regardless of his or her mode of transportation, is required to pay tolls for the use of toll facilities in this state.

Refusing to pay, evading or eluding payment, or attempting to utilize counterfeit tickets or tokens for payment is a traffic infraction.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	94	0	(House amended)
Senate	45	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3258**

PARTIAL VETO

C 7 L 83

By Senator McDermott (By Governor Spellman Request)

Modifying taxes ('81-'83 Biennium).

Senate Committee on Ways and Means

House Committee on Ways and Means

BACKGROUND:

To solve the revenue shortfall for the 1981-83 biennium, tax increases in various categories have been proposed.

SUMMARY:

The following tax increases have been adopted:

- 1) RETAIL SALES AND USE TAX--Retailers: Increases the retail sales and use tax 1.3 cents from 5.4 cents to 6.7 cents, except for retailers in "border counties" which are within or bordering a Standard Metropolitan Statistical Area (SMSA) as defined by the U.S. Commerce Department where such SMSA is wholly or partially in a state with no sales tax, i.e., OREGON. The retail sales and use tax for retailers in such "border counties" will remain at 5.4 cents. Effective March 1, 1983.



- 2) B&O TAX SURCHARGE--Retailers: Maintains the B&O tax surcharge at 7 percent for all retailers, except for retailers in "border counties" which are within or bordering a Standard Metropolitan Statistical Area (SMSA) as defined by the U.S. Commerce Department where such SMSA is wholly or partially in a state with no sales tax, i.e., OREGON. The B&O tax surcharge for retailers in such "border counties" will increase from 7 percent to 32 percent. Effective March 1, 1983.
- 3) B&O TAX SURCHARGE--Business Categories: Increases the B&O tax surcharge from 7 percent to 32 percent for all business categories except service categories and retailers. Effective March 1, 1983.
- 4) B&O TAX--Service Categories: Increases the B&O tax on service categories from 1 percent to 2 percent. Effective March 1, 1983.
- 5) AIRCRAFT EXCISE TAX: Increases the aircraft excise tax from \$15 per single engine planes and \$25 per multi-engine planes to \$50/single engine and \$80/multi-engine. Effective for tax payments in 1984.
- 6) BOAT EXCISE TAX--New Tax: Imposes a 1 percent excise tax on boats. Effective March 1, 1983.

**VOTES ON FINAL PASSAGE:**

Senate	25	24	
House	51	46	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)

Free Conference Committee

Senate	25	21
House	50	43

**EFFECTIVE:** March 1, 1983  
 June 30, 1983 (Sections 9-22 and 25-27)  
 January 1, 1984 (Sections 23 and 24)

**PARTIAL VETO SUMMARY:**

The Governor vetoed sections which would have increased the business and occupation tax on real estate brokers from 1 to 2 percent. The B&O tax on real estate is temporarily increased to 2 percent until June 30, 1983 when it will revert to 1 percent.

The Governor vetoed Section 2 which would have increased the business and occupation tax on services from 1 to 2 percent. The B&O tax on services

is temporarily increased to 2 percent until June 30, 1983 when it will revert back to 1 percent.

The Governor vetoed sections 4 and 5. These sections would have increased the surcharge on the B&O tax for extractors, manufacturers, and retailers from 7 percent to 32 percent. The surcharge is temporarily increased to 32 percent until June 30, 1983.

The Governor vetoed sections 28 through 31. These sections would have required a 1 percent excise tax on airplanes as opposed to the \$15 and \$25 flat rate for single-engine or twin-engine airplanes. (See VETO MESSAGE)

**SSB 3266**

C 3 L 83 E1

By Committee on Energy and Utilities (Originally sponsored by Senators Williams, Benitz, Talmadge, Bender, Thompson, Moore, Bauer, Woody and Hurley)

Modifying provisions of the WPPSS board.

Senate Committee on Energy and Utilities

House Committee on Energy and Utilities

**BACKGROUND:**

Under present law, the management and control of an operating agency constructing, operating, terminating or decommissioning a nuclear power plant rests with an Executive Board. Six of the eleven members of the Executive Board are appointed as outside directors and must meet certain statutory qualifications. The other five members of the Executive Board are elected from among the members of the board of directors. There are no stated qualifications for the five inside directors.

Present law does not require committees and subcommittees of the WPPSS board or Executive Board to comply with the Open Public Meetings Act.

The compensation paid to inside directors of the WPPSS Executive Board is subject to a \$10,000 lid. The outside directors receive payment which is not subject to a lid.

SUMMARY:

Any member of the Executive Board elected from the board of directors must remain a member of the board of directors to be eligible for continued membership on the Executive Board.

The board of directors, Executive Board and any committees or subcommittees thereof must comply with the Open Public Meetings Act in the conduct of official business.

The annual \$10,000 limit on per diem compensation paid to the inside directors of the Executive Board of a joint operating agency is removed. The determination of compensation for inside directors of the Executive Board is at the discretion of the full board of directors of the joint operating agency. The character of the compensation paid to the inside directors of the Executive Board is changed from per diem to salary.

Per diem compensation paid to outside directors is discontinued. They will continue to receive a salary fixed by the Governor. Additionally, they are to receive travel expenses on the same basis as inside directors.

VOTES ON FINAL PASSAGE:

Regular Session  
 Senate 44 1  
 House 87 1 (House amended)  
 Senate (Senate concurred in part)

First Special Session  
 Senate 44 1  
 House 94 1

EFFECTIVE: August 23, 1983

**2SSB 3272**

C 16 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroners' System Improvement Act.

Senate Committee on Local Government

Senate Committee on Ways and Means

House Committee on Local Government

House Committee on Ways and Means

BACKGROUND:

There has been concern over the funding for the state toxicology laboratory and training for the elected coroners. Comprehensive dental identification systems have been very successful in California and elsewhere. Washington does not have a comprehensive dental identification system.

SUMMARY:

The State Death Investigations Council is created and the council is authorized to oversee the state toxicology laboratory, and, with the president of the University of Washington, control the laboratory's operation. The council is authorized to study and recommend improvements in the death investigations system and report its findings to the Legislature. The council members are appointed by the Governor for terms of four years and the council is given the regular powers and authority granted state councils.

The duties of the University of Washington Medical School toxicology laboratory are amended to require the laboratory to perform procedures requested by medical examiners. The appointment procedure of the state toxicologist is modified to require consent of the State Death Investigations Council.

The Board on Prosecutor Training Standards and Education is directed to provide for the training and education of county coroners and county medical examiners who are engaged in death investigations. A county medical examiner and a county coroner from a county of at least the fourth class are added as members of the board.

A death investigations account is established under the State Treasurer's jurisdiction, and \$2 of each vital record fee must be deposited in the account. The fee for certified copies of vital records is raised from \$3 to \$6. Counties are to receive partial reimbursement for autopsy costs from the account pursuant to biennial appropriations. Counties will be reimbursed for up to 40 percent of the cost of contracting for the services of a pathologist to perform an autopsy is authorized and up to 25 percent of the salary of pathologists who are primarily engaged in performing autopsies and are (a) county coroners or county medical examiners, or (b) employees of a county

## 2SSB 3272

coroner or county medical examiner is authorized.

A dental identification system is established in the State Patrol, and local law enforcement agencies, coroners, and medical examiners are required to use the system when necessary to identify a body or locate a missing person.

Counties may establish joint morgue facilities by agreement.

Future Obligation: The Legislative Budget Committee shall study the medical examiner system and the staffing and operations of the state toxicology laboratory and report its findings to the Legislature no later than January 1, 1984.

Appropriation: \$1,032,000 is appropriated from the death investigations account for the 1983-85 biennium, to be used as specified for death investigation council operations, development of the State Patrol dental identification system, a coroner training program by the Board on Prosecutor Training Standards, operations of the state toxicology laboratory, and disbursement to counties as reimbursement of autopsy costs.

### VOTES ON FINAL PASSAGE:

Regular Session  
Senate 33 10

First Special Session  
Senate 33 5  
House 64 31 (House amended)  
Senate 38 8 (Senate concurred)

EFFECTIVE: July 1, 1983

## SSB 3273

C 19 L 83 E1

By Committee on Energy and Utilities (Originally sponsored by Senators Williams, Hurley, Bauer and Talmadge)

Establishing the Washington radioactive waste commission.

Senate Committee on Energy and Utilities

House Committee on Energy and Utilities

### BACKGROUND:

Washington State presently provides a major low-level radioactive waste disposal site for the nation and has joined in the Northwest Interstate Compact on Low-Level Radioactive Waste Management, in accordance with the provisions set forth in the national Low-Level Radioactive Waste Policy Act of 1980.

Following passage by Congress of the Nuclear Waste Policy Act of 1982, Washington has been identified by the United States Department of Energy as a potential repository for high-level nuclear waste. Under the 1982 act, states must be fully consulted, have the right to participate in the repository site selection process, and are entitled to receive federal impact assistance throughout the time they are considered repository site candidates.

At present, coordination and representation of the state's interest in high-level waste is by a Governor's task force, with invited legislative participation. Low-level waste policy is coordinated by the Governor's office staff, in conjunction with the Northwest Low-Level Waste Compact Committee.

### SUMMARY:

The Department of Ecology is designated as the executive branch agency to provide executive branch participation in the federal Nuclear Waste Policy Act of 1982 and the federal Low-Level Radioactive Waste Act of 1980. The Department may also receive federal financial assistance in radioactive waste management activities. The Department will submit, at least semi-annually, a report to the Governor and each member of the Legislature on the radioactive waste program.

A nuclear waste policy and review board is created to assist the Department of Ecology. Members of the board will include representatives from the Departments of Ecology, Energy, Natural Resources, Social and Health Services, and the Energy Facility Site Evaluation Council as well as eight ex officio non-voting members of the Legislature, four from each house. The board will be responsible for identifying and reviewing state agency policies relating to radioactive wastes.

An advisory council is established which will include 15 members appointed by the Governor. The council will provide advice and counsel to the Department of Ecology in all areas of the radioactive waste management program. The council will

give particular attention to maximizing opportunities for public involvement. The chairperson will be appointed by the Governor and will also serve as the chairperson of the waste policy and review board. Membership on the council will include private citizens, local government officials, and representatives of other interests as selected by the Governor. A representative of an affected Indian tribe may serve as an ex officio non-voting member.

The Director of the Department of Ecology will:

- 1) fulfill the state's responsibilities under the lease between the state and the federal government for the Hanford reservation 1000 acre site;
- 2) assume the responsibilities of the state under the perpetual care agreement between the state and the federal government; and
- 3) assure maintenance of insurance coverage by state licensees, lessees and sublessees.

The Governor will study whether the Department of Ecology should assume control over:

- 1) the responsibilities of the Department of Social and Health Services with regard to licensing and perpetual care concerning mill tailings;
- 2) the responsibilities of the Department of Social and Health Services over the protection of the public health with regard to nuclear energy and radiation;
- 3) the responsibilities of the Board of Health in (1) and (2) above; and
- 4) designation as the state radiation control agency.

The Governor's study will be conducted in accordance with the Open Public Meetings Act.

The statutory authority for the Washington State Energy Office to assume responsibility for the perpetual care agreement is repealed.

Rule Making Authority: The Department of Ecology is given rule-making authority to carry out its responsibilities under this act. The Department of Social and Health Services is given rule-making authority as is necessary to carry out its responsibilities under the Northwest Interstate Compact on Low-Level Radioactive Waste Management.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>			
Senate	25	22	
<u>First Special Session</u>			
Senate	47	0	
House	91	4	(House amended)
Senate	43	2	(Senate concurred)

EFFECTIVE: May 13, 1983

**SB 3282**

C 82 L 83

By Senators Guess, Peterson and Hansen

Enacting the Multistate Highway Transportation Agreement.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

The Multistate Highway Transportation Agreement is an agreement among a number of western states for the purpose of adopting uniform standards for commercial vehicles. This Agreement provides the member states with an instrument for achieving regional vehicle size and weight objectives. It also offers an opportunity for education and exchange of information relative to commercial transportation and highway standards, laws and regulations.

The current participating members are Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Wyoming and British Columbia. The Agreement has been endorsed by the Western Conference of the Council of State Governments and the Western Association of State Highway Officials.

Among the regional objectives sought by member states under the agreement are vehicle size and weight standards, uniform permit procedures, uniform enforcement procedures, and equipment requirements. One of the subjects under consideration by the member states of the Agreement is the concept of jointly operated point-of-entry stations for commercial vehicles. This could provide a cost saving for both of the states involved in the port of entry and could significantly diminish the

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waiting period for commercial vehicle inspections.

**SUMMARY:**

The State of Washington is authorized to enter into the Multistate Highway Transportation Agreement.

The Agreement authorizes the participating state jurisdictions to join in an effort to provide more efficient and more economical transportation by motor vehicles among the participating jurisdictions. The Agreement also encourages the development of broad, uniform size and weight standards on a national basis, and directs procedures adopted under this compact to be compatible with national standards.

The Chairman of the Legislative Transportation Committee shall appoint a delegate and such alternates as may be appropriate to represent the state on the cooperating committee established by the Multistate Highway Transportation Agreement.

Procedures are set forth for the operation of the cooperating committee and for withdrawal from the Agreement.

Future Obligation: The cooperating committee of the Multistate Highway Transportation Agreement shall submit an annual report of its operations and recommendations of the preceding year, no later than November 1 of each year, to the legislature of each participating jurisdiction.

**VOTES ON FINAL PASSAGE:**

Senate 36 2  
House 95 0

**EFFECTIVE:** July 24, 1983

**SSB 3290**

C 2 L 83 E2

By Committee on Natural Resources (Originally sponsored by Senators Moore, Barr, Goltz and Williams)

Modifying provisions relating to the lease of aquatic lands.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

Annual rental fees for existing leases of aquatic lands may be increased no more than 6 percent per year beyond the rental fee in effect on January 1, 1981. Annual rental fees for new leases may not be more than 6 percent per year above rental rates in effect on January 1, 1981 for comparable lands. This provision in RCW 79.01.525 expires on July 1, 1983.

**SUMMARY:**

The existing provision is repealed. The annual rent for an existing lease is the rent paid on such lease on January 1, 1981, and may be increased 6 percent per year, not compounded. The annual rent for a new lease entered into after January 1, 1981 is the rent paid for comparable lands, and may be increased 6 percent per year. Lessees who paid more rent than required for the period after April 3, 1983 shall receive a credit on future rent or reimbursement in money.

This provision expires on September 30, 1984.

Private recreational docks located on state-owned tidelands, shorelands, and beds of navigable water, other than in harbor areas, and used by the upland owner are permanently exempt from rents and fees. The size, length and construction of the docks are subject to local regulation. Permission to have docks may be revoked by the Department of Natural Resources to assure access by other waterfront owners or for public health and safety reasons. Revocations are appealable as a contested case under the Administrative Procedure Act.

Termination Date: September 30, 1984

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 47 1

First Special Session  
Senate 41 3

Second Special Session  
Senate 33 5  
House 91 3

**EFFECTIVE:** June 13, 1983

**SB 3297**

C 248 L 83

By Senators Hansen, Barr, Goltz and Benitz (By Department of Agriculture Request)

Modifying various provisions concerning the department of agriculture.

Senate Committee on Agriculture

House Committee on Agriculture

**BACKGROUND:**

The Department of Agriculture was organized in 1921. Additional divisions have since been added and now a total of six divisions exist. The statutes specify which programs are placed in each division.

The Department wishes to reorganize the agency so that similar work functions can be combined under the same division and that each division can be more equal in size.

**SUMMARY:**

Specific reference creating divisions are eliminated in statute. The director is to appoint not more than six assistant directors to administer the several divisions within the Department.

The authority of assistant directors to appoint inspectors and employ other assistants is repealed.

Department of Agriculture employees who are appointed to serve as peace officers to enforce livestock identification and commission merchants laws are required to successfully complete a course of training prescribed by the Washington State Criminal Justice Training Commission.

The number of members serving on the State Conservation Commission is increased from seven members to eight. The Director of Agriculture is added to the Commission as an ex-officio member.

The Director of Agriculture is authorized to enter into agreements with the federal government to dispose of unclaimed livestock impounded on the Hanford Reservation.

**VOTES ON FINAL PASSAGE:**

Senate	48	0	
House	95	0	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3299**

C 158 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Moore, Sellar and Wojahn)

Modifying definition of personal leases.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

**BACKGROUND:**

The Washington usury statute does not include lease transactions. The Retail Installment Sales Act includes only leases which require payments substantially equivalent to the value of the leased property and which also either require or permit the lessee to become owner of the property for "no other or merely nominal consideration."

The Washington Supreme Court overturned a Superior Court decision and held that open-end leases are the functional equivalent of loans, and therefore subject to the usury statutes. This decision retroactively and prospectively expanded the scope of the usury statutes to govern all open-end leases.

The application of usury statutes to open-end leases is inconsistent with the understanding of the law by the leasing industry in Washington.

**SUMMARY:**

A new section of law is created which expresses the desirability and usefulness of lease transactions, and recognizes leases as transactions distinct from loans or installment sales.

A definition of consumer lease which is substantially the same as the federal definition is adopted. Commercial and consumer leases are retroactively and prospectively excluded from the Retail Installment Sales Act, and prospectively excluded

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from the usury statutes. No person may plead the defense of usury on any lease entered into prior to the date of this act. Open end leases, of the type commonly used in the industry, are made subject to state regulation as leases, and it is confirmed that they are not to be treated as "loans" under the usury statutes or as "retail installment sales" under the Retail Installment Sales Act. The types of leases which are included in the Retail Installment Sales Act (RISA) remain subject to RISA.

Federal consumer protection leasing provisions are incorporated into state law, and violations are made subject to remedies under the Consumer Protection Act, which calls for treble damages plus attorney's fees. One provision limits the lessee's liability upon expiration of an open-end lease to three average monthly payments. Other provisions limit charges in the event of breach of contract, and establish full disclosure requirements.

**VOTES ON FINAL PASSAGE:**

Senate	39	9	
House	79	15	(House amended)
Senate	38	6	(Senate concurred)

**EFFECTIVE:** April 29, 1983**SSB 3308**

C 249 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Goltz, Deccio, Moore and Shinpoch)

Requiring health insurance plans to provide benefits for home health care services.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

**BACKGROUND:**

Home health care and hospice care are currently not required in group health insurance policies or by health care service contractors. Medicare has provisions for home health care and hospice care. Home health care is provided for under Medicaid, while hospice care is currently limited to demonstration projects.

**SUMMARY:**

Home health care services and hospice care shall be offered as optional coverage in a group disability insurance policy and also under prepaid health care service plans of health care service contractors. Deductible amounts and co-insurance provisions are permitted.

The intent section states that, due to escalating hospitalization costs, the alternatives of home health and hospice care are less expensive methods of providing equivalent care as provided in a hospital.

Home health and hospice care plans require approval by a licensed physician subject to review as required by the carrier. In addition, the carrier may institute utilization and quality assurance mechanisms. The carrier must offer in the health care plan home health care visits of not less than 130 visits each calendar year.

The following minimum service requirements are established to be provided by a certified home health care agency:

1. Treatment is to be delivered by a registered nurse, physical therapist, occupational therapist either on a part-time or intermittent basis.
2. Other supportive personnel that may be included are: licensed practical nurses, inhalation or respiratory therapists, health aides, psychologists, and social workers.
3. In addition, eligible supplies and equipment included are prescription drugs, durable medical equipment, such as a hospital bed, and supplies such as crutches, braces, and trusses. Nonmedical custodial or housekeeping and nonmedical supplies or equipment are not included.

Hospice care services are to be provided by a certified hospice agency under a treatment plan subject to review prescribed by a physician as follows: 1) inpatient hospices services; 2) home health care services; and 3) respite care of five continuous days during a certification period.

Certification of home health agencies and hospice agencies shall be under the Department of Social and Health Services. The Department shall consider federal rules in adopting rules.

Rule Making Authority: The act delegates new rule-making authority to the Insurance Commissioner.

## VOTES ON FINAL PASSAGE:

Senate	35	13	
House	96	0	(House amended)
Senate	35	9	(Senate concurred)

EFFECTIVE: July 1, 1984

**SSB 3311**

C 23 L 83 E1

By Committee on Commerce and Labor (Originally sponsored by Senators Vognild, Quigg and Wojahn, and By Department of Employment Security Request)

Modifying provisions relating to unemployment insurance.

Senate Committee on Commerce and Labor

House Committee on Labor

## BACKGROUND:

Corporate Officers

In 1981 the Legislature passed a law which gives corporate employers the choice of removing their corporate officers from unemployment insurance coverage.

The U.S. Department of Labor has notified the Employment Security Department that this law is not in conformance with federal law. Specifically, federal law does not allow an employer to waive an employee's right to unemployment insurance benefits.

Wages Paid vs. Wages Payable

Current state law requires employers to report wages paid, while for the purpose of unemployment compensation benefit payments, remuneration is defined as wages payable. Wages payable are wages which accrue for work performed in a specific time period, regardless of when wages are actually paid. It has been determined through random audits that in 30 percent of all cases sampled, wages paid versus wages payable differ to the extent that benefit amounts would be altered.

Rounding Down Benefit Calculations

Federal law was recently enacted which requires that unemployment insurance benefit amounts

and payments be rounded to the next lower dollar. As a penalty for noncompliance, reimbursement to the state for the federal share of extended benefits will be reduced by that amount which would have been saved if calculations were rounded down.

Successor Employers

Under current law, a predecessor employer's employment experience is transferred to and becomes, at least in part, the successor employer's experience for the purpose of assigning an unemployment tax contribution rate. (At the present time, the state's employer experience rating system is not in effect, due to low trust fund levels.)

This law is based on the assumption that there is a significant relationship between a predecessor's experience with unemployment and that of the successor. The Department must maintain employment experience records through successive ownerships at increased administrative expense, although the validity of the predecessor-successor relationship has been questioned.

Non-professional School Employees

Recent change in federal law permits states the choice of applying "between terms" denial of unemployment compensation to non-professional employees of all educational institutions. Prior to this change, states could only apply denial to non-professional employees of primary and secondary educational institutions. A decision must be made to either deny between-term benefits to all non-professional education employees, or repeal the current statute which only denies between-term benefits to primary/secondary education employees.

Independent Contractors

At the present time, contractors in the electrical and construction trades are not considered "employees" for unemployment compensation purposes if certain criteria are met. These criteria are intended to verify that the contractor is actually an "independent" business person, rather than an employee.

## SUMMARY:

Corporate Officers

All corporate officers are excluded from unemployment insurance coverage. However, corporate employers may elect coverage for their corporate officers.



## SSB 3311

### Wages Paid vs. Wages Payable

Benefit claims are established on the basis of wages paid, unless a claimant requests that a claim be established on the basis of wages payable.

### Rounding Down Calculations

Calculations pertaining to benefit amounts and payments are to be rounded down to the next lower dollar amount.

### Successor Employers

A successor employer is assigned a contribution rate based on his employment experience rating, including the experience of the acquired business after the date of transfer. A predecessor's contribution rate is based on his experience rating, including the experience of the acquired business before the date of transfer.

### Non-professional School Employees

"Between terms" denial of benefits is extended to non-professional employees of higher educational institutions. A provision is made for the payment of retroactive benefits to non-professional school employees, under the following condition: When benefits are denied due to the employer's acknowledgement that an employee will return to work at the beginning of the term, but work does not become available at the term's advent, the employee will be eligible for retroactive benefit payments if he has filed timely benefit claims each week between the terms.

When an educational employer gives an employee a written notice stating that the employee is expected to be employed in the next academic year or term, the notice must include information regarding the effect of the notice on the employee's eligibility for unemployment benefits.

Denial of between-term benefits shall not apply to an employee who was employed by his or her educational employer between terms in the previous year.

### Independent Contractors

The statutory criteria used to determine whether a contractor in the electrical or construction trade is an employee of another contractor are modified.

### VOTES ON FINAL PASSAGE:

Regular Session  
Senate 48 0

### First Special Session

Senate	46	0	
House	96	0	(House amended)
Senate	37	0	(Senate concurred)

EFFECTIVE: August 23, 1983  
June 30, 1983 (Sections 17, 18, 19, 25)  
July 3, 1983 (Sections 6, 8)  
October 1, 1983 (Sections 4, 7, 11, 12, 13)

## SB 3314

C 6 L 83 E1

By Senators Vognild, Quigg and Wojahn (By Department of Employment Security Request)

Establishing the OASI revolving fund.

Senate Committee on Commerce and Labor

House Committee on Labor

### BACKGROUND:

The Employment Security Department acts as agent for the Social Security Administration (SSA) in the collection of Old Age and Survivors Insurance (OASI) contributions for covered public employment entities in the state. OASI contributions are channeled to the Department through our quarterly wage and tax report mechanisms. The Department then transfers the funds to the OASI Contributions Fund from which they are again transferred to the SSA.

Because certain covered public employers fail to pay their OASI contributions, the Social Security Administration has adopted the practice of withholding letters of credit from any covered employer in the state regardless of their record of payment or nonpayment of OASI contributions. For example, the failure of an irrigation district to make payments could result in a withholding of credit due to the University of Washington.

Presently, there is a backlog of eight entities who are delinquent in their payments of OASI contributions. Some cases go back to 1973 and the funds due amount to approximately \$20,000. In all eight cases, the Social Security Administration has not been notified of noncompliance due to the possibility of the Administration withholding credits from various public employment entities indiscriminately.

SUMMARY:

An Old Age Survivors Insurance (OASI) revolving fund is established. The fund will be in the custody of the State Treasurer and consists of all deposits to the fund and interest earned therefrom.

The fund is exclusively for the payment of money that the state is obligated to pay or forfeit due to any public agency's failure to pay contributions or interest owed to the public employees' federal social security program.

The fund is established with the transfer of \$20,000 from the interest earnings accrued in the OASI contribution fund.

Appropriation: There is appropriated to the OASI revolving fund \$20,000.

VOTES ON FINAL PASSAGE:

Regular Session  
Senate 45 0

First Special Session  
Senate 41 0  
House 94 0

EFFECTIVE: August 23, 1983

**SB 3363**

C 250 L 83

By Senators Moore, Newhouse, Hansen and Thompson

Amending procedures for the selection of port district treasurers.

Senate Committee on Financial Institutions

House Committee on Local Government

BACKGROUND:

Currently the treasurer of the county in which a port district is located is the district port treasurer, unless the county treasurer authorizes another person to hold the position.

SUMMARY:

The port commission of a district is authorized to designate its own treasurer if the port has received annual gross operating revenues of \$100,000 or more for the last three years, or any

port which was previously authorized by the county treasurer to name its own treasurer may continue to appoint its own treasurer. Gross operating revenues exclude tax revenues and grants for capital purposes.

The county treasurer is required to be the treasurer of a port which has not met the above requirement.

VOTES ON FINAL PASSAGE:

Senate 38 8  
House 87 9 (House amended)  
Senate 42 4 (Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3364**

C 83 L 83

By Senators Gaspard, Talmadge, Williams, Moore, Fleming, Craswell and Lee

Permitting school employees to request a postponement of a hearing of lay-offs due to a reduction in force.

Senate Committee on Education

House Committee on Education

BACKGROUND:

A certified school employee must be notified by May 15 of the school year in the event the employee's contract will not be renewed for the ensuing year. Each employee notified has the right to request a hearing in writing within 10 days after receiving such notice. When many certified employees are notified of termination but later reinstated, a substantial amount of time and resources is expended on preparations for hearings which may never occur.

SUMMARY:

Certified school employees who receive notice of nonrenewal of contract due to "an enrollment decline or loss of revenue" may choose, within 10 days, to initiate a hearing immediately or to postpone any arrangements for a hearing until July 15.

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**SB 3364**

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## VOTES ON FINAL PASSAGE:

Senate 48 0  
House 90 0

EFFECTIVE: July 24, 1983

**SSB 3372**

C 8 L 83 E1

By Committee on Natural Resources (Originally sponsored by Senators Vognild, Owen and Metcalf, and By Department of Game Request)

Implementing civil penalty system for recovery of wildlife values.

Senate Committee on Natural Resources

House Committee on Natural Resources

## BACKGROUND:

Penalties for illegal taking or possession of big game animals or endangered species are as follows:

<u>Violation</u>	<u>Fine</u>	<u>Imprisonment</u>
Misdemeanor	More than \$25	Less than 90 days
Gross Misdemeanor	\$250 to \$1,000	30 days to 365 days

Persons convicted also must pay a penalty of \$5 for each \$20 imposed as a fine or bail forfeiture. Under certain conditions a hunting license may be revoked.

## SUMMARY:

Persons convicted of illegal killing or possession of moose, antelope, mountain sheep, mountain goat, and endangered wildlife species will be required to pay a \$1,000 reimbursement fee to the state game fund. In the case of deer, elk, black bear, and cougar illegal killing or possession convictions, a \$500 reimbursement fee is required. These fees are in addition to other penalties imposed and are assessed for each animal killed.

## VOTES ON FINAL PASSAGE:

Regular Session  
Senate 48 0

First Special Session  
Senate 44 0  
House 92 0

EFFECTIVE: August 23, 1983

**SSB 3380**

C 50 L 83

By Committee on Social and Health Services (Originally sponsored by Senators McManus, Taimadge, Deccio, Kiskaddon and Moore)

Permitting hearings when a decision is made to return residents of state residential schools to the community.

Senate Committee on Social and Health Services

House Committee on Social and Health Services

## BACKGROUND:

The Department of Social and Health Services (DSHS) has made a concerted effort over the past ten years to deinstitutionalize developmentally disabled persons. Some individuals concerned about developmentally disabled people feel that all of those individuals who can function adequately in the community have already been removed from institutions. They are concerned that developmentally disabled people might be placed in the community without adequate supervision or structure.

Some parents of developmentally disabled children would like to have greater influence over the decision which DSHS makes regarding the placement of their children.

## SUMMARY:

A resident, parent of a resident who is a minor, guardian, or court-appointed personal representative of a developmentally disabled person may appeal a decision of the Secretary of DSHS to place their child in the community, to an administrative law judge. The administrative law judge will make an initial decision regarding the placement.

The Secretary of DSHS will make the final decision regarding a community placement of a developmentally disabled resident. The Secretary cannot delegate the authority to make the final decision. The Secretary may only reverse the administrative law judge's decision if the decision was:

(1) In violation of constitutional provisions; or

- (2) In excess of the statutory authority or jurisdiction; or
- (3) Made upon lawful procedure; or
- (4) Affected by other error of law; or
- (5) Clearly erroneous in view of the entire record as submitted and the public policy contained in the act of the Legislature authorizing the decision or order; or
- (6) Arbitrary or capricious.

Findings and inferences of the Secretary must be supported by substantial evidence.

The Secretary's final decision may be appealed to superior court. The standard of review for a reversal of the decision of the Secretary of DSHS at the superior court level is that the decision was not supported by substantial evidence.

A placement decision may not be implemented during any time which an appeal can be taken or while an actual appeal is underway unless authorized by court order.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: April 19, 1983

**SB 3383**

C 51 L 83

By Senators Clarke, Talmadge and Hemstad (By Secretary of State Request)

Modifying the laws regulating professional corporations.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

The Professional Service Corporation Act was originally enacted in 1969. Since that time, attorneys and the office of the Secretary of State have encountered problems in administering the act because of certain deficiencies and omissions in the statute.

The Professional Service Corporation Act requires all directors and officers to be licensed individuals. The statute presently prohibits a professional corporation from merging with a foreign corporation.

The existing law is unclear whether a professional service corporation can amend its articles of incorporation to delete from its stated purposes the rendering of professional services.

The statutes pertaining to transfers of shares to ineligible members are vague and nonspecific, especially in the area of a single shareholder corporation when a death occurs to the shareholder.

Except for trust companies and national banks, existing law prohibits corporations from serving as personal representatives in the administering of estates.

Attorneys often do business as professional service corporations. Persons who wish to designate a particular law firm organized as a professional service corporation to act as a personal representative are prohibited by existing law from doing so.

SUMMARY:

All directors and officers, other than the secretary and treasurer, must be licensed individuals.

A professional corporation may merge or consolidate with a domestic or foreign corporation organized to render the same specific professional services, if every shareholder of each corporation is eligible to be a shareholder of the surviving or new corporation. If a surviving or new corporation is to render professional services in the state of Washington, it must be organized under and comply with the Washington Professional Service Corporation Act.

A professional corporation may amend its articles of incorporation to delete from its stated purposes the rendering of professional services.

Any transfer of shares to an ineligible person is void. However, transfers by operation of law or court decree are not void. Upon the death of a shareholder, or if shares are transferred by operation of law or court decree to an ineligible person, the provisions of the articles of incorporation, bylaws or private agreements control the transfer of shares to remaining shareholders, or redemption of shares by the corporation. If such redemption or transfer is not completed within 12 months,

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**SB 3383**

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such shares are subject to the provisions of the Business Corporation Act.

An administrator or executor may be a director, officer, or shareholder of the professional corporation for a period of 12 months following receipt or transfer of the shares.

A proxy, voting trust or other voting agreement is permitted if all holders, trustees, and beneficiaries are eligible to be shareholders of the corporation.

Professional service corporations whose shareholders are exclusively attorneys are authorized to act as personal representatives.

**VOTES ON FINAL PASSAGE:**

Senate	49	0	
House	94	0	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3390**

C 24 L 83 E1

By Senators Owen and Fuller (By Department of Game Request)

Permitting up to seven letters or numbers on personalized license plates.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

Personalized license plates may have a maximum of six letters or numbers. Increasing the number of letters or numbers may result in additional purchases of personalized license plates.

**SUMMARY:**

The maximum number of letters or numbers on personalized license plates is increased to seven. The Department of Licensing may increase the maximum number of letters or numbers if approved by the Washington State Patrol. All revenues generated by sale of personalized license plates in excess of administrative costs of the Department of Licensing are to be used for the Department of Game's nongame program.

Appropriation: \$121,000 is appropriated to the Department of Licensing from the state game fund, effective July 1, 1983.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 44 0

First Special Session  
Senate 43 0  
House 94 1 (House amended)  
Senate 48 0 (Senate concurred)

EFFECTIVE: August 23, 1983  
July 1, 1983 (Section 2)  
July 1, 1984 (Section 1)

**SB 3392**

C 217 L 83

By Senators McManus, Quigg and Bottiger

Modifying provisions on electrical utility installation.

Senate Committee on Energy and Utilities

House Committee on Energy and Utilities

**BACKGROUND:**

Municipal electrical systems for first class cities have traditionally incorporated the cost of electrical hook-ups into their rate structures. While Tacoma continues this practice, Richland and Seattle charge explicit fees for installations. For several years Richland has collected fees and has allowed customers to hire their own contractors. Seattle implemented a fee system on January 1, 1983, and requires that utility personnel perform the work.

**SUMMARY:**

If a city-owned electrical utility charges its customers an installation fee for service, the customers may employ an electrical contractor to perform the work instead of the utility. Prior to retaining an electrical contractor to perform the installation, the customer will obtain written approval from the city-owned utility. If such approval is denied, the utility will provide the customer with written reasons for the denial.

Private electrical contractors are solely responsible for any damages arising out of their installation of service. City-owned electrical utilities are immune from any tortious conduct claims which may result from the contractor's installation.

VOTES ON FINAL PASSAGE:

Senate 38 8  
 House 96 0 (House amended)  
 Senate 37 7 (Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3393**

C 218 L 83

By Senators Talmadge, Clarke and Hemstad

Permitting judges to belong to the National Guard.

Senate Committee on Judiciary

House Committee on State Government

BACKGROUND:

The Washington Code contains a statute relating to the selection of the Adjutant General and Assistant Adjutant General when vacancies occur in these positions. However, this particular statute also has a provision which prohibits any member of the judiciary of Washington State from being an active member of the National Guard or Air National Guard.

SUMMARY:

A member of the judiciary of the state of Washington, who is available for judicial work at such times and under such conditions as may be set forth by local rules and custom, may serve as an active member of the National Guard or Air National Guard.

VOTES ON FINAL PASSAGE:

Senate 38 0  
 House 96 0 (House amended)  
 Senate 44 0 (Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3413**

C 38 L 83 E1

By Senators Hughes and Lee (By Parks and Recreation Commission Request)

Modifying provisions relating to nonresident camping fee surcharges at state parks.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

BACKGROUND:

In 1979, legislation was enacted which directs the Washington State Parks and Recreation Commission to impose a reciprocal surcharge on the camping fees assessed campers from other states which levy a surcharge on the fees for campers from Washington State. The legislation also stipulates that the surcharge is not to be assessed at facilities leased by the Commission to a private concessionaire or operated through a lease with another governmental agency which prohibits nonresident surcharges.

The states which currently assess campers from Washington State a surcharge are listed below. The amount of the surcharges levied by these states is also indicated.

State	Surcharge
Arizona	\$1.00
Maine	1.50
Maryland	1.00
New Hampshire	2.00
Oregon	2.00
Rhode Island	2.00
Vermont	1.00
Wisconsin	1.00

When campers from these states stay at a Washington State park, they are assessed a surcharge equivalent to the extra fee which a Washington State resident must pay to camp at a park in their home state.

The legislation which instituted the surcharge terminates the program on June 30, 1983. A termination date for the surcharge program was established because in 1979 only a few states required Washington State residents to pay a camping fee surcharge and it was thought that these states might discontinue surcharge programs within the next few years. However, since

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**SB 3413**

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the Washington State surcharge program was instituted, the opposite has occurred. More states now require nonresidents to pay a camping fee surcharge than in 1979.

**SUMMARY:**

The June 30, 1983, termination date for the reciprocal camping fee surcharge is eliminated.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 49 0

First Special Session  
Senate 44 0  
House 80 17

EFFECTIVE: May 19, 1983

**SB 3416**

C 163 L 83

By Senators Hemstad, Talmadge, Clarke,  
Thompson and Granlund

Revising certain sentencing laws to facilitate implementation of the recommendations of the sentencing guidelines commission.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

The Sentencing Reform Act of 1981 created the Sentencing Guidelines Commission to recommend sentencing standards for adult felons. Under the legislation, the court has alternatives to the presumptive sentence for a first time non-violent offender. Departures from the presumptive sentence are authorized only if the court finds that imposition of a sentence within the standard range would impose an excessive punishment on the defendant or would pose an unacceptable threat to community safety.

The Sentencing Reform Act of 1981 directed the Commission to devise a policy on consecutive/concurrent sentences but did not specify whether the policy was to be advisory or mandatory. The Act also authorized the Commission to establish sanctions for use of a deadly weapon but did not include a definition of deadly

weapon or a procedure for establishing whether the defendant or an accomplice was armed.

**SUMMARY:**

Negligent homicide is added to the list of violent crimes. By defining this crime as a violent crime, the first time offender option would no longer apply and the court would need to justify an exceptional sentence in writing.

The court may impose a sentence outside the standard sentence range for an offense if it finds that there are substantial and compelling reasons justifying an exceptional sentence.

The Commission's policy on consecutive/concurrent sentences is made mandatory. A definition for deadly weapons is established, along with a legal procedure for establishing whether the defendant or an accomplice was armed with a deadly weapon during the commission of a felony.

If the Commission modifies or revises the change because of an emergency, the change shall go into effect, but must be reviewed by the Legislature at the following legislative session. The Sentencing Guidelines Commission shall conduct an analysis of the effects of the guidelines. The analysis shall include an estimate of the impact on jail population and availability of alternatives in the community. The Legislative Budget Committee is directed to file a report on the effectiveness of the guidelines at the beginning of the 1987 session of the Legislature.

The effective date of sections 1 through 4 is July 1, 1984.

Future Obligation: The Legislative Budget Committee is directed to report its findings to the Legislature at the beginning of the 1987 legislative session. The Sentencing Guidelines Commission is directed to analyze the effect of the proposed guidelines.

**VOTES ON FINAL PASSAGE:**

Senate 43 4  
House 93 0 (House amended)  
Senate 39 3 (Senate concurred)

EFFECTIVE: July 24, 1983  
July 1, 1984 (Sections 1-5)

**SB 3426**

C 251 L 83

By Senators Talmadge and Bottiger

Modifying provisions relating to the homestead.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

In 1981 the Legislature enacted automatic homestead provisions which replaced the requirement of filing a declaration of homestead. Title insurance companies currently interpret the law to preclude the use of a power of attorney on behalf of a spouse when selling or encumbering property claimed as a homestead. Since homesteads are now the rule rather than the exception, many individuals, such as out-of-state military personnel, are inconvenienced by the requirement to personally appear and sign the documents. A power of attorney on behalf of a spouse would eliminate the need for both husband and wife to appear and sign with respect to the conveyance or encumbrance of the homestead.

**SUMMARY:**

A husband or a wife or both jointly may make and execute powers of attorney for the conveyance or encumbrance of the homestead.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	96	0

EFFECTIVE: July 24, 1983

**SSB 3433**

PARTIAL VETO

C 169 L 83

By Committee on Financial Institutions (Originally sponsored by Senators Moore, Hayner, Bottiger, McManus, Deccio, McDermott, Hemstad and Hurley) (By Lieutenant Governor Request)

Creating the Washington higher education facilities authority to provide financing to private non-profit higher education institutions.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

**BACKGROUND:**

Currently, private, nonprofit institutions of higher education in Washington do not have tax exempt bonding authority for capital improvements. Such improvements are now made by borrowing at higher rates than would be necessary if such financing was available. Lower interest costs could be passed on to students in the form of lower tuition or foregone tuition increases, and improved quality of educational services.

**SUMMARY:**

The Washington Higher Education Facilities Authority is created. The Authority has the power to authorize the issue of bonds or other obligations to provide tax-exempt financing for capital improvements for private, nonprofit institutions of higher education. The seven-member Authority consists of three state officials (the Governor, the Lt. Governor and the Executive Coordinator of the State Council for Postsecondary Education), and four public members appointed by the Governor.

The Authority has full discretion to determine the principal amounts, interest rates, and other terms of its bonds.

Bonds issued by the Authority are legal investments for municipal corporations, financial institutions, and other fiduciaries in the state.

Projects are exempted from laws relating to conditions of constructing public buildings and improvements.

The Authority is funded entirely through fees paid by the institutions which utilize the Authority.

The total bonded indebtedness of the Authority may not exceed five hundred million dollars. The Authority shall pay the prevailing wage rate for construction projects under this chapter. Requirements are adopted for the selection of bond counsel and underwriters.

**VOTES ON FINAL PASSAGE:**

Senate	43	5	
House	86	9	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)
Senate	36	11	(Senate concurred)



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**SSB 3433**

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EFFECTIVE: July 24, 1983

**PARTIAL VETO SUMMARY:**

The requirement that the Authority pay the prevailing wage rate for construction projects is eliminated. (See VETO MESSAGE)

**SB 3442**

C 219 L 83

By Senators Talmadge and Clarke (By Judicial Council Request)

Providing a procedure for agreed dissolution.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

A division of superior court called family court, established in 1949, serves as a forum for reconciliation or resolution of disputes between spouses.

Any spouse may request family court intervention prior to or after the filing of a petition for dissolution. Once the family court is requested to intervene, any proceedings in superior court are stayed for 30 days. If a resolution is not reached, the parties may pursue their case in superior court or the family court. The family court may also order an additional 90 day period to attempt a resolution.

Family court is required to give priority to families with children. If the court determines that family court intervention may lead to reconciliation, it may also accept cases involving families without children.

**SUMMARY:**

The jurisdiction of family court is increased to include all controversies between parents and involving children. The parties are not required to be married to use family court services.

The time limitations on family court jurisdiction are removed. The family court proceeding stays further proceedings until the court makes a formal conclusion.

The family court is given authority to accept cases not involving children if acceptance will not

hinder the court's work in cases involving children.

**VOTES ON FINAL PASSAGE:**

Senate	45	2	
House	96	0	(House amended)
Senate	42	1	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3448**

C 220 L 83

By Senators Hughes and Patterson

Permitting waiver of fees for employees of the intercollegiate center for nursing education.

Senate Committee on Education

House Committee on Higher Education

**BACKGROUND:**

RCW 28B.15.535 provides for tuition and fee waivers for full-time employees at institutions of higher education as long as these employees enroll on a space-available basis. No new course sections are to be created as a result of their enrollment, nor are these individuals' enrollment included in state-funded enrollment figures. Full-time employees of Washington State University at the Intercollegiate Center for Nursing Education in Spokane are not, however, included as employees who can receive these space-available waivers from institutions of higher education. This is the only instance in which a particular group of off-campus employees of Washington State University are not able to receive these benefits.

**SUMMARY:**

Full-time employees of Washington State University at the Intercollegiate Center for Nursing Education may receive space-available tuition and fee waivers from institutions of higher education pursuant to the conditions specified in RCW 28B.15.535.

**VOTES ON FINAL PASSAGE:**

Senate	46	0	
House	97	0	

EFFECTIVE: July 24, 1983

### SSB 3453

C 221 L 83

By Committee on Education (Originally sponsored by Senators Goltz, Patterson and Hansen)

Modifying disposition of traffic offenses on college and university campuses.

Senate Committee on Education

House Committee on Higher Education

#### BACKGROUND:

Institutions of higher education have traditionally enforced internal parking rules governing pedestrian and vehicular traffic on their campus. Fines collected have been used to assist in funding the maintenance, operations and construction of parking facilities. Current law is unclear as to whether institutions of higher education may collect and retain the fines imposed for infractions of internal traffic and parking rules.

#### SUMMARY:

The boards of regents and boards of trustees of the institutions of higher education are expressly authorized to internally adjudicate parking infractions and to collect and retain fines. Other traffic violations may not be internally adjudicated by the institutions of higher education.

A person charged with a violation of a parking rule on lands of a state or regional university or The Evergreen State College is granted the right to appeal any internal adjudication to the appropriate district court. The appeal is heard de novo.

#### VOTES ON FINAL PASSAGE:

Senate	46	0	
House	82	14	(House amended)
Senate	45	0	(Senate concurred)

EFFECTIVE: July 24, 1983

### SSB 3480

C 252 L 83

By Committee on Commerce and Labor (Originally sponsored by Senators Bottiger and Newhouse)

Authorizing certain performers to elect industrial insurance coverage.

Senate Committee on Commerce and Labor

House Committee on Labor

#### BACKGROUND:

The industrial insurance law is written to provide the broadest coverage for "employments which are within the legislative jurisdiction of the state." Therefore, unless an employee is specifically exempted by law, the employer is required to provide industrial insurance coverage. Currently, musicians or entertainers who are often employed for a brief period of time are still considered an industrial insurance liability for the purchaser of their services.

#### SUMMARY:

The list of employments exempt from mandatory industrial insurance coverage is expanded to include certain musician or entertainer services. This exemption applies only if the musician or entertainer performs no other services for the employer and is not regularly and continuously employed by the employer.

The exemption does not apply to an employer who is a leader of a group or a recognized entity who employs musicians or entertainers. In this case, the leader or entity is still subject to the mandatory coverage requirement.

A musician or entertainer who is a sole performer, a partner in a group or entity or a casual performer is also exempt from mandatory coverage. However, those musicians and entertainers may elect mandatory coverage, and in so doing, are entitled to all authorized benefits.

#### VOTES ON FINAL PASSAGE:

Senate	38	0	
House	97	0	(House amended)
Senate	45	0	(Senate concurred)

EFFECTIVE: July 24, 1983

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**SSB 3483**

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**SSB 3483**

C 253 L 83

By Committee on Natural Resources (Originally sponsored by Senators Hansen, Deccio, Bender, Bauer, Goltz, Sellar, Benitz, Newhouse and Barr)

Modifying the oil and gas conservation.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

The present Oil and Gas Conservation Act was enacted in 1951 and has remained substantially unchanged. There has been increased exploration activity in the state over the last two years. Several changes are proposed to update the present law.

**SUMMARY:**

The size of units to be drained by one oil well is increased from 40 acres to a maximum of 160 acres. For gas, the size of a unit is increased from 160 acres to 640 acres. The size of units may be increased over this maximum size if the Oil and Gas Conservation Committee, after a hearing and presentation of data, determines that a larger area can be drained efficiently and economically by one well. The sharing of costs and production among the persons having an interest within one development unit are delineated.

The fees for obtaining a well drilling permit are increased, depending on the depth of the well, from \$100 to a maximum of \$1,000 for wells over 12,000 feet deep.

Unitization, operating several wells as a unit, can be performed for secondary recovery or enhanced recovery purposes. In order to be validated, the unitization plan formulated by the Committee must be approved by 75 percent of those persons required to pay the cost of unit operations and 75 percent of the royalty owners.

The Department of Natural Resources is to serve as the designated agent of the Oil and Gas Conservation Committee. The supervisor of oil and gas is designated by the Department of Natural Resources. The makeup of the Oil and Gas Conservation Committee is altered. Deleted from the committee are the Governor and Lieutenant Governor, or their designees. The Commissioner of

Public Lands, State Treasurer, and the Director of Ecology are retained. Added to the committee are four citizens appointed by the Governor and confirmed by the Senate, to serve four-year terms. The terms are staggered so one member is appointed each year with one member from western Washington and three members from eastern Washington.

**VOTES ON FINAL PASSAGE:**

Senate	42	1
House	85	0

EFFECTIVE: July 24, 1983

**SSB 3490**

C 39 L 83 E1

By Committee on Local Government (Originally sponsored by Senators Goltz, Deccio and Granlund)

Changing the procedures for appointing the local health officer in counties with home rule charters.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

The board of county commissioners is designated as the local board of health for a county. The county commissioners, through their powers as the local health board, appoint a local health officer to enforce the public health laws.

Counties with home-rule charters specify in their charters the official responsible for appointing administrative department heads. It may be more appropriate in home-rule counties for the person who appoints administrative department heads to also appoint the local health officer.

There is no mechanism for resolving disputes between health departments and cities or towns over payment of public health services.

**SUMMARY:**

The local health officer of a county with a home-rule charter shall be appointed by the official designated under the provisions of the county's charter.

A mechanism is established for resolving disputes between health departments and cities or towns over payment of public health services. If no agreement can be reached after a reasonable period of good faith negotiations, including mediation when applicable, then the matter shall be resolved by a board of arbitrators and shall be binding on all parties.

If the city or town fails to make payment within 30 days after the end of the fiscal year, payment shall be made out of the current expense fund of the county. The county auditor shall deduct the sum from money due the city or town at the next settlement.

VOTES ON FINAL PASSAGE:

Regular Session  
 Senate 48 0  
 House 85 5 (House amended)  
 Senate (Senate asked House to  
 recede)

First Special Session  
 Senate 42 2  
 House 80 16 (House amended)  
 Senate 45 2 (Senate concurred)

EFFECTIVE: August 23, 1983

**SB 3492**

C 166 L 83

By Senators Goltz, Patterson, Gaspard and Hughes

Providing reciprocity for waiver of nonresident tuition between this state and Idaho and British Columbia.

Senate Committee on Education

House Committee on Higher Education

BACKGROUND:

Currently, Washington has a reciprocity agreement with Oregon which allows for the waiver of nonresident tuition and fees for border area residents attending institutions of higher education in either state. A similar law providing for reciprocity

between Washington and British Columbia residents was passed in 1977, but expired in 1981.

It is reasoned that reciprocity would be beneficial to border communities near Idaho and British Columbia as well.

SUMMARY:

Washington institutions of higher education are required to waive nonresident tuition and fees for all Idaho residents contingent upon the completion of an agreement whereby all Washington residents are granted a reciprocal waiver. The four-year institutions of higher education are required to extend the same consideration to residents of British Columbia.

The Council for Postsecondary Education (CPE) is granted the authority to enter into the agreements with Idaho and British Columbia. A biennial payment between Washington and Idaho is required, as a condition of the agreement, whenever the loss of one state's revenue exceeds that of the other by more than \$25,000 per year. A balanced exchange of enrollment must be a consideration in providing for the waiver between Washington and British Columbia.

The Council for Postsecondary Education is required to review the costs and benefits of the Idaho and British Columbia agreements and transmit copies of these reviews to the Governor and the appropriate policy and fiscal committees of the Legislature by January 10 of each odd-numbered year.

Future Obligation: The Council for Postsecondary Education will review the cost and benefits of these agreements and make recommendations to the Legislature on their continuation or termination by January of 1987.

Termination Date: The provisions of this act will cease to exist on June 30, 1987.

VOTES ON FINAL PASSAGE:

Senate 43 0  
 House 91 0 (House amended)  
 Senate 42 0 (Senate concurred)

EFFECTIVE: July 24, 1983

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**SSB 3494**

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**SSB 3494**

C 254 L 83

By Committee on Judiciary (Originally sponsored by Senators Talmadge, Hemstad, and Hughes)

Modifying the enforcement of judgments in small claims court.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

The enforcement of small claims court judgments continues to pose a problem for the prevailing party in Washington State. Procedures necessary to collect the judgment are often complicated and expensive. In addition, the services of an attorney are often required and these, along with court costs, often exceed the amount of the judgment. Thus, in many instances, the small claims court system is rendered ineffective.

**SUMMARY:**

If the judgment is not paid to the prevailing party at the time the judgment is entered and the judgment debtor is present in court, the court may order a payment plan.

If the losing party fails to pay within 20 days or within the period otherwise ordered by the court, the judgment is increased by an amount sufficient to cover costs of certification of the judgment in district court and the entry of a transcript of the judgment on the superior court lien docket.

The judgment creditor is entitled to reasonable costs and attorneys' fees incurred while seeking enforcement of the judgment under the execution statutes.

**VOTES ON FINAL PASSAGE:**

Senate	42	0
House	96	0

EFFECTIVE: January 1, 1984

**SSB 3497**

C 237 L 83

By Committee on Transportation (Originally sponsored by Senators Vognild, Guess, Wojahn, Peterson and Bender)

Requiring certain propane fueled vehicles to bear a placard to that effect.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

More than 8,000 vehicles in Washington are now using compressed natural gas, liquid petroleum gas, commonly called propane, and other similar hydrocarbon gas fuels.

These fuels pose a substantial hazard to firefighters if vehicles using them catch fire. There is currently no requirement that vehicles propelled by alternative fuels be marked to identify the type of fuel carried. A reflective placard on these vehicles indicating the type of fuel used would warn firefighters of the danger so they could react properly to combat fires or potential fires involving alternative fuels.

Use of these fuels involves fewer vehicle emissions. The applicability of state emission testing requirements to such vehicles is therefore questionable.

**SUMMARY:**

Every vehicle, including off-road vehicles, using propane or chemically similar gases shall carry the placard required by the National Fire Protection Association and designed by the National Liquid Petroleum Gas Association for propane fueled vehicles.

Failure to display a placard on vehicles required to have one is a traffic infraction.

Vehicles exclusively fueled by propane, natural gas or liquid petroleum gas are not required to comply with state vehicle emission standards for emission contributing areas, unless it is determined that federal sanctions will be imposed as a result of this exemption.

VOTES ON FINAL PASSAGE:

Senate 49 0  
 House 94 0 (House amended)  
 Senate 43 0 (Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3501**

C 222 L 83

By Senators Talmadge and Hemstad

Providing interpreters in legal proceedings for non-English-speaking persons.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

Interpreters for legal proceedings are authorized for deaf persons or others who are unable to communicate verbally. Interpreters are not statutorily authorized for non-English-speaking persons.

SUMMARY:

Interpreters for legal proceedings may be appointed for persons who are unable to communicate in or readily understand the English language.

VOTES ON FINAL PASSAGE:

Senate 43 3  
 House 96 0

EFFECTIVE: July 24, 1983

**SSB 3511**

C 47 L 83

By Committee on Agriculture (Originally sponsored by Senators Hansen, Benitz, Goltz, Barr and Hayner)

Authorizing the creation of legal authorities to construct and operate hydroelectric facilities.

Senate Committee on Agriculture

House Committee on Energy and Utilities

BACKGROUND:

Irrigation districts were authorized in 1979 to develop hydroelectric power sites which are in connection with irrigation facilities. In 1981, irrigation districts were allowed to create a separate legal entity to issue bonds and develop power facilities. Existing statutes allow cities, towns and public utility districts to create separate legal entities for generating electric power. Under present law irrigation districts cannot join with cities and public utility districts to join separate legal entities.

Irrigation districts, cities, and public utility districts in the Yakima River Basin desire the authority to create these separate legal entities for the development of the approximate 80 megawatts of power potential that exists in connection with existing irrigation facilities in that basin.

SUMMARY:

Irrigation districts are authorized to join with cities and public utility districts to create separate legal entities to develop hydroelectric sites which are in connection with existing and future irrigation facilities. The separate legal entity would be limited to the powers as conferred to an irrigation district in regards to the construction, finance, operation and maintenance of hydroelectric facilities.

Separate legal entities created under the authority of this act may not condemn any dam, facility or right owned by enumerated public entities or private power company. The separate legal entity is limited to the use of revenue bonds which are payable only from rates, tolls, charges, or contract payments for services on electricity provided by the authority. The authority is not to levy taxes or impose assessments for the payment of obligations of the entity. No member of the authority may be obligated to repay any obligation of the authority unless the member received a service of fair value from the authority.

VOTES ON FINAL PASSAGE:

Senate 46 1  
 House 96 0

EFFECTIVE: April 19, 1983

**SSB 3516**

C 52 L 83

By Committee on Judiciary (Originally sponsored by Senators Talmadge and Bottiger)

Modifying provisions relating to the legislative branch.

Senate Committee on Judiciary

House Committee on State Government

**BACKGROUND:**

The Legislature has by statute created a number of bodies and committees designed to assist the Legislature in the performance of its duties. These include:

- (1) Legislative Council (Chapter 44.24 RCW).

The Council is empowered to perform the duties and functions of interim legislative committees, examine and study state government with a view towards eliminating unnecessary duplication and promoting efficiency, conduct legislative investigations, receive messages from the Governor or other state officials during the interim, and generally attend to the Legislature's business during the interim.

- (2) Joint Committee on Higher Education (Chapter 44.30 RCW).

This joint committee was created in 1969 and is authorized to study a wide range of matters relating to higher education in the state.

- (3) Joint Committee on Education (Chapter 44.33 RCW).

This joint committee was created in 1959. It is authorized to study a wide range of facts and matters relating to education in the state.

- (4) Joint Committee on Urban Area Government (Chapter 44.36 RCW).

This joint committee was created in 1961. It is authorized to study matters relating to the welfare and government of the state's urban areas.

**SUMMARY:**

Statutory provisions relating to the Legislative Council, Joint Committee on Higher Education,

Joint Committee on Education, and the Joint Committee on Urban Area Government are repealed.

An obsolete reference to the Legislative Budget Committee in a statute relating to the Data Processing Authority is deleted.

**VOTES ON FINAL PASSAGE:**

Senate	43	0	
House	93	1	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3519**

C 1 L 83 E1

By Senators Thompson, Zimmerman and Bauer (By Governor Spellman Request)

Increasing state power to repair damage from the eruption of Mount St. Helens.

Senate Committee on Local Government and Ways & Means

House Committee on State Government

**BACKGROUND:**

The Department of Transportation may secure land by purchase or donation for dredge spoil sites in order to facilitate recovery from the eruption of Mount St. Helens. The Department is not authorized to use the power of eminent domain to secure the land. Recent efforts by the Department to prevent more flooding were frustrated when property owners refused to sell their property.

A county legislative authority may exempt emergency recovery operations from the Shorelines Management Act, State Environmental Protection Act, and Department of Ecology requirements for diking and drainage and water and flood control but must notify the Department of Ecology. It is unclear who in the Department of Ecology should be notified and there is no time limit for notification.

**SUMMARY:**

The Department of Transportation may exercise the power of eminent domain to condemn lands necessary to prevent flooding as a result of the Mount St. Helens eruption. The land may be used

for dredge sites, dredge spoils sites, flood control works, or bank protection. The Department may also exchange land with property owners or enter into a lease.

Court proceedings to acquire land by eminent domain to prevent flooding take precedence over all other causes, and an order is considered final unless appeal is made to the Supreme Court within five days after entry of the order. The Supreme Court is directed to assign the appeal for hearing at the earliest possible date.

The directors of fish and game must process hydraulic project applications within 15 working days after their receipt instead of five working days.

County legislative authorities must notify the Water Resources Regional Supervisor of the Southwest Region of the Department of Ecology within five days of undertaking emergency recovery actions.

Appropriation: \$5,020,000 for the Department of Transportation is appropriated from the state building construction account of the state general fund for acquisition of land and related expenses.

Termination Date: The expiration date on the statutes pertaining to emergency recovery actions by counties is changed from 1984 to 1988.

#### VOTES ON FINAL PASSAGE:

<u>Regular Session</u>	
Senate	41 8
<u>First Special Session</u>	
Senate	36 5
House	96 0

EFFECTIVE: May 2, 1983

### SSB 3520

C 30 L 83 E1

By Committee on Local Government (Originally sponsored by Senators Woody, Zimmerman and Thompson)

Revising procedures regarding contested elections and challenged voters.

Senate Committee on Local Government

House Committee on Constitutions, Elections, and Ethics

#### BACKGROUND:

The statutes authorizing challenges of voter registration require that challenge based on residency must be filed at least 60 days prior to an election. These challenges are subject to the timelines and procedures for registration cancellation laid out in RCW 29.10.140. This 60-day period may be too long to facilitate legitimate challenges.

Challenges based on other grounds may be filed at the polls by any legal voter. All challenged voters are allowed to cast a paper ballot which is transmitted to the canvassing board and its validity is determined there.

An election may be contested on the basis of illegal votes. There is no statutory definition or direction to clarify what constitutes illegal votes. Considerable confusion exists over whether an election contest may be based upon improperly registered voters who vote without being challenged.

#### SUMMARY:

Registration challenges by registered voters based on residency are authorized until seven days before an election. Any successfully challenged voter may properly re-register until three days before the primary or election. Precinct election officers may challenge registration for any reason, including residency, at the polls. Registered voters may challenge on grounds other than residency at the polls.

Voters challenged at the polls are allowed to cast a paper ballot which shall be considered by the canvassing board no later than the time of canvassing. The burden is upon the challenging party to prove by clear and convincing evidence that the challenge should be upheld. If the burden is not met, the registration must be found valid and the vote counted.

The chapter on registration challenges, Chapter 29.59 RCW, is repealed. All sections dealing with registration challenges are placed in Chapter 29.10 RCW which deals with registration transfers and cancellations.

Provisions dealing with registration cancellation are amended to allow any registered voter to request that another voter's registration be cancelled on the basis of improper residency. Notice



**SSB 3520**

of intent to cancel must be sent to the challenged voter, who then has 20 days to file a response. A hearing to determine the issue must be scheduled within 10 days of this response.

The statute listing the grounds for contesting an election is amended to generally state what constitutes an illegal vote for the purposes of the section. Illegal votes specifically include votes cast by persons constitutionally prohibited from voting, and more than one vote cast by a single voter. Votes cast by improperly registered voters who are not properly challenged are specifically excluded from the definition of illegal votes. If a voter is not properly challenged, his vote counts and no election contest may be based upon that vote.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>			
Senate	45	0	
House	97	0	(House amended)
Senate			(Senate asked House to recede)

<u>First Special Session</u>			
Senate	40	0	
House	94	0	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)
Senate			(Senate refused to concur)
House	95	0	(House receded)

EFFECTIVE: August 23, 1983

**SSB 3522**

C 223 L 83

By Committee on Local Government (Originally sponsored by Senator Peterson)

Requiring county assessors to review property tax levies for correctness, validity, and legality.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

Local taxing authorities must comply with the 106 percent lid on property tax levies, as well as other restrictions on their authority to levy property taxes. The county assessor is not charged with the

responsibility of reviewing all property tax levies for their accuracy and compliance with all laws under present statutes.

**SUMMARY:**

The county assessor is required to review all tax levies as to their correctness, validity, legality, and compliance with all constitutional and statutory limits on levies and tax rates.

The limitation on property tax levies shall be determined by the county assessor, except that the Department of Revenue shall determine the limitation for any state levy. The limitation for any intercounty rural library district shall be determined by the library district in consultation with the county assessors of the respective counties.

**VOTES ON FINAL PASSAGE:**

Senate	45	2
House	91	0

EFFECTIVE: July 24, 1983

**SB 3523**

C 255 L 83

By Senators Granlund, Owen and Metcalf (By Department of Corrections Request)

Modifying time limits for furloughs for residents of state correctional institutions.

Senate Committee on Institutions

House Committee on Social and Health Services

**BACKGROUND:**

The Department of Corrections has requested a number of changes in current law to facilitate more effective management of the prison system.

Under current law, furloughs of state inmates may not exceed 30 consecutive days or a total of 60 days during a 12-month period.

There is currently no statutory authority for the Department of Corrections to grant leaves of absence for inmates to receive medical or dental care outside a correctional institution. There is also no statutory authority to allow inmates to volunteer in community service work projects.

Federal prisoners and prisoners convicted in other states may be placed only in the state penitentiary, the state reformatory or the correctional institution for women in Purdy.

Washington is currently a member of the Western Interstate Corrections Compact, but is not a member of the nationwide Interstate Corrections Compact. Although Washington now can contract with other states to exchange inmates, other states cannot exchange inmates with Washington since Washington is not a member of the Interstate Corrections Compact.

Prior to the implementation of the "Corrections Reform Act of 1981", the Division of Institutional Industries had statutory authority to sell surplus by-products and perishable goods from its timber and agricultural enterprises to the private sector. This practice prevented the waste or loss of such products. The authority was inadvertently repealed by the 1981 legislation.

Currently, products manufactured by residents of state correctional institutions within a vocational education program must be sold on the open market at public auction. Elimination of the "public auction" requirement gives program administrators more flexibility to sell products.

Several foreign countries, including Canada and Mexico, have treaties with the United States to facilitate the transfer of felons convicted in the United States to the country of which they are citizens or nationals. Washington's Governor does not have statutory authority to participate in such treaties. Although the Secretary of the Department of Corrections now may transfer a prisoner when such transfer is in the best interest of the state or the welfare of the prisoner, transfers of prisoners to foreign countries are not an option.

The capital punishment statute requires that persons imprisoned on death row be totally segregated from other prisoners. The degree and cost of security required to monitor a few inmates and the threat of possible lawsuits against the Department charging that such segregation constitutes cruel and unusual punishment has led to a Department of Corrections request to abandon this practice.

#### SUMMARY:

FURLOUGHS. Medical furloughs are not subject to a requirement that they not exceed 30 consecutive days or a total of 60 days during a calendar year.

Violent offenders are not eligible for furloughs until they have served at least one-half of the minimum term established by the Parole Board or the Sentencing Guidelines Commission.

LEAVES OF ABSENCE. Inmates may be granted a leave of absence in order to receive medical or dental care not available in the institution. Non-violent offenders may participate in community service work projects which are approved by the superintendent of the appropriate correctional institution. Community service work projects must be instigated by a request from a local community. All leaves of absence must be escorted. An escort must have visual or auditory contact with an inmate at all times.

The Secretary or the Secretary's designee must notify any county and city law enforcement agency with jurisdiction over the area which is the inmate's destination prior to an inmate being allowed to start a leave of absence.

PRISONER PLACEMENT. Federal prisoners and prisoners convicted in other states may be placed in any of the state correctional institutions.

INTERSTATE CORRECTIONS COMPACT. The Secretary of the Department of Corrections is authorized and requested to join the Interstate Corrections Compact and any other correctional compact or compacts with other states. Each party to a compact may contract with one or more other party states or the federal government for the confinement of inmates from the sending state. Any such contract shall provide for payments to be made by the sending state for inmate maintenance, extraordinary medical and dental expenses and any services not considered part of normal maintenance. The Secretary of Corrections is directed to hold hearings requested by another state under the Interstate Corrections Compact.

SALE OF PRISON PRODUCTS. Language authorizing Institutional Industries to sell perishable products to the private sector is reinstated. However, sales of perishable products to the private sector will be made only after there has been an attempt to sell such products publicly. In the event there is not a public or private sector market for surplus by-products, such by-products may be donated.

Language in current law requiring the sale of products from inmate vocational education programs at public auction is deleted.

INMATE TRANSFERS. Approval for the transfer of inmates who are citizens of a foreign country may

be granted by the Governor or his designee under a treaty agreement between the United States and a foreign country. The authority of the Secretary of the Department of Corrections is expanded to permit the transfer of prisoners to a foreign country when, in the judgment of the Secretary, such transfers are in the best interests of the state or the welfare of any prisoner.

DEATH ROW. Prisoners assigned to death row may be confined with other prisoners not under sentence of death, but must be assigned to single-person cells.

Rule Making Authority: The act delegates new rule-making authority to the Secretary of the Department of Corrections.

**VOTES ON FINAL PASSAGE:**

Senate	48	0	
House	92	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3531**

C 256 L 83

By Senators Rinehart, Benitz and Goltz

Modifying procedures for refunds of college and university fees.

Senate Committee on Education

House Committee on Higher Education

**BACKGROUND:**

State institutions of higher education may refund tuition and fees if a student withdraws from the institution or drops a class within the sixth school day of the quarter or semester. If the student withdraws after the sixth day but before 30 calendar days, a maximum of one-half of the tuition and fees may be refunded. However, special courses sometimes do not begin until well into the quarter or semester. Thus, if a course begins after 30 days from the beginning of the term, for example, and a student withdraws after only one day of the instruction or even before instruction begins, he is not entitled to any refund.

Furthermore, institutions do not have the authority to extend the refund period for students withdrawing for medical reasons.

**SUMMARY:**

Governing boards may establish tuition refund policies for courses which begin after the regular starting date of the term. Schools are also allowed to grant refunds to students withdrawing for medical reasons.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	95	0

EFFECTIVE: July 24, 1983

**SB 3532**

C 224 L 83

By Senators Gaspard, Benitz and Shinpoch

Providing procedures for the removal of members of community college boards of trustees.

Senate Committee on Education

House Committee on Higher Education

**BACKGROUND:**

There are no standards or procedures governing the removal of community college district trustees.

In contrast, members of the State Board for Community College Education can be removed in accordance with the procedures set forth in the statute governing the removal of the trustees and regents of the four-year institutions and upon a petition by the Governor alleging inefficiency, neglect of duty, or malfeasance in office. Trustees and regents of the four-year institutions can be removed only for misconduct or malfeasance in office. A petition by the Governor seeking removal of a trustee or regent is heard by a tribunal of three superior court judges at a public hearing. The decision of the tribunal is final and not subject to review.

**SUMMARY:**

Community college district trustees may be removed by the Governor for misconduct or malfeasance in the manner provided by the statute

governing removal of trustees and regents of four-year institutions.

VOTES ON FINAL PASSAGE:

Senate 41 0  
House 96 0

EFFECTIVE: July 24, 1983

**SB 3535**

C 257 L 83

By Senators Hughes, Haley and Hurley

Modifying provisions relating to containers for milk-based and soy-based beverages.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

BACKGROUND:

Current law prohibits the use of detachable pull tabs on beverage containers. This has proven to be a problem for producers of milk-based and soybean-based dietary liquids whose processing methods are different from beer and soft drinks. Non-detachable opening devices which are technically satisfactory require an aluminum alloy end; an electrolysis process results in the deterioration of the aluminum in the presence of any salt in the beverage product and a steel can body. There are also concerns about sanitation, related to the tab end pushing down into the product when it is opened.

SUMMARY:

Milk-based, soybean-based or similar beverage products are excluded from the definition of 'beverage,' and therefore are exempted from the prohibition against the use of detachable pull tabs on beverage containers.

VOTES ON FINAL PASSAGE:

Senate 41 0  
House 92 0

EFFECTIVE: July 24, 1983

**SB 3537**

C 258 L 83

By Senators Vognild, Lee and Woody

Requiring notice to firefighters of the presence of guard animals.

Senate Committee on Commerce and Labor

House Committee on Labor

BACKGROUND:

There are no provisions regarding the regulation and registration of guard animals for the benefit of firefighters.

Firefighters do not have foreknowledge as to the possible presence of guard animals when they are responding to fires, and as a result there have been several incidents involving guard animals, one of which resulted in the permanent disability of a Seattle firefighter.

SUMMARY:

All professionally trained guard animals are required to be registered with the local fire department, and a clearly visible sign indicating their presence is to be placed at each entrance to the premises.

A firefighter, who reasonably believes his or her safety is endangered by the presence of a guard animal, may refuse to enter the premises or take what action they consider necessary to protect themselves.

If the person responsible for a guard animal does not comply with the provisions of the chapter, that person may be held liable for any injury done to the firefighter caused by the presence of the guard animal.

VOTES ON FINAL PASSAGE:

Senate 44 1  
House 96 0

EFFECTIVE: July 24, 1983

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**SSB 3538**

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**SSB 3538**PARTIAL VETO

C 14 L 83 E1

By Committee on Transportation (Originally sponsored by Senators Peterson, Patterson and Haley)

Removing the traffic safety commission from the Sunset schedule and revising certain powers and duties.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

The Sunset Act of 1977 (Ch. 43.131 RCW) requires the passage of legislation to continue the existence of a state agency or program that has undergone a sunset audit by the Legislative Budget Committee. The Washington Traffic Safety Commission recently underwent such a review. The Legislative Budget Committee's published recommendation is that operations of the Traffic Safety Commission be continued with minor revision of its statutory duties.

**SUMMARY:**

Continued operation of the Washington Traffic Safety Commission is provided for with the following changes: (1) the Director will be subject to confirmation by the Senate; (2) pro forma comprehensive traffic safety plans submitted by counties and cities will not be required; and (3) obsolete statutory provisions (RCW 43.59.090 through .120) are repealed. These obsolete sections deal with administrative details involving the 1967 disestablishment of the Washington State Safety Council, the Traffic Safety Commission's predecessor agency.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 44 0

First Special Session  
Senate 44 0  
House 90 5

EFFECTIVE: August 23, 1983

**PARTIAL VETO SUMMARY:**

The Governor vetoed section 2. This section provided that the director be subject to confirmation by the Senate. (See VETO MESSAGE)

**SB 3585**

C 259 L 83

By Senators Fleming, Hansen, Sellar, Thompson and Barr

Extending the permitted duration of harbor leases to fifty-five years.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

The State Constitution and statutory law presently limit the term of harbor area leases by the state to a maximum of 30 years. This session, the Senate passed SJR 105 which will place on the ballot, in November of 1983, a measure to extend the maximum term of harbor leases to 55 years.

**SUMMARY:**

If approved by the voters, statutory law will be modified so that harbor leases can be increased to a maximum of 55 years. The change in statute would become effective on the same date as the constitutional amendment.

**VOTES ON FINAL PASSAGE:**

Senate 45 0  
House 94 0

EFFECTIVE: November 8, 1983  
(if SJR 105 is approved by the voters)

**SB 3588**

C 84 L 83

By Senators Goltz and Lee (By Secretary of State Request)

Authorizing the state archivist to adopt rules and set technical standards.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

The Division of Archives and Records Management in the Secretary of State's Office is responsible for the preservation and destruction of public records.

Although the Division has authority to gather and disseminate information to agencies on records management, it has no statutory authority to set standards for preservation of records.

**SUMMARY:**

The Division of Archives and Records Management within the Secretary of State's Office may set standards for durability and permanence of public records.

Rule Making Authority: The State Archivist is delegated the authority to adopt rules in accordance with the Administrative Procedure Act setting standards for the durability and permanence of records required to be filed and maintained permanently or for very long periods of time.

**VOTES ON FINAL PASSAGE:**

Senate 46 0  
House 90 0

**EFFECTIVE:** July 24, 1983

**SSB 3595**

C 260 L 83

By Committee on State Government (Originally sponsored by Senator Warnke)

Authorizing the department of veterans affairs to contract with veterans' organizations for services.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

A number of congressionally chartered veterans' organizations provide a rehabilitation service, as well as assisting veterans in prosecuting claims and in solving their service related problems.

Current funding requirements call for the Department of Veterans' Affairs to approve expenditures by such organizations and to make reimbursement after services are rendered.

Certain veterans' organizations have suggested that the funding mechanism be revised.

**SUMMARY:**

The funding mechanism for Department of Veterans' Affairs payment is shifted from approval of expenses and reimbursement to require that the Department contract with veterans' organizations for providing services to veterans.

A \$49,000 appropriation is added for the 1983-85 biennium to help fund contracts with veterans' organizations which have not previously provided services under reimbursement agreements with the Department.

Appropriation: \$49,000 for the Department of Veterans' Affairs.

**VOTES ON FINAL PASSAGE:**

Senate 45 0  
House 95 0 (House amended)  
Senate 47 0 (Senate concurred)

**EFFECTIVE:** May 17, 1983

**SB 3613**

C 20 L 83

By Senators Woody, Jones and Lee (By Attorney General Request)

Requiring gender-neutral language in statutes, rules, and publications.

Senate Committee on Judiciary

House Committee on State Government

**BACKGROUND:**

Non-discriminatory language is suggested as an improvement to Washington State's statutes, rules and official communications.

**SUMMARY:**

All rules and directory or advisory publications issued, adopted or amended by state officers or agencies after July 1, 1983, are to be written in

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**SB 3613**

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gender-neutral terms unless a specification of gender is intended.

All statutes, memorials and resolutions enacted, adopted or amended by the Legislature after July 1, 1983, are to be written in gender-neutral terms unless a specification of gender is intended.

No rule, publication, statute, memorial or resolution is invalid because it does not comply with these sections.

**VOTES ON FINAL PASSAGE:**

Senate	33	9
House	90	0

EFFECTIVE: July 24, 1983

**SSB 3614**

C 261 L 83

By Committee on Natural Resources (Originally sponsored by Senators Bauer, Zimmerman, Owen and Thompson)

Permitting the department of natural resources to exchange publicly-owned lands.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

The Commissioner of Public Lands may exchange any state lands with timber for any other land of equal value, for the purpose of facilitating the marketing of forest products, or consolidating and blocking up state lands, or the acquisition of lands having commercial recreational leasing potential. Approval must be given by such board, commission, committee or agency exercising control over the disposal of the land involved.

**SUMMARY:**

The Commissioner of Public Lands is granted additional authority to exchange any state lands for any lands of equal value owned by a county. Any exchanges authorized by the section shall not be used to reduce the publicly-owned forest land base.

**VOTES ON FINAL PASSAGE:**

Senate	36	1	
House	96	0	(House concurred)
Senate	40	3	(Senate amended)

EFFECTIVE: July 24, 1983

**2SSB 3624**

C 40 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Hughes, Zimmerman, Hurley, Bender, Wojahn, Hansen, Bottiger, McManus, Granlund, Owen, Vognild, Moore, Thompson, Gaspard, Peterson, Fleming, Woody, Bauer, Conner, Rasmussen, Warnke, Rinehart, Shinpoch, Talmadge, Williams, Goltz, McDermott, Hemstad, Lee, Fuller, Bluechel and Quigg)

Establishing a conservation corps.

Senate Committee on Parks and Ecology

Senate Committee on Ways and Means

House Committee on Commerce and Economic Development

**BACKGROUND:**

Growing numbers of young workers are not being absorbed into the state's workforce as a result of difficult economic conditions. The frustrations and hardships associated with this condition may tend to alienate many of these youth from the values associated with hard work and productivity.

Additionally, many state resource agencies are having difficulty meeting their statutory mandates due to budget cutbacks of recent years. The availability of these young workers could assist the agencies in operating programs more responsively, accomplishing a wide range of tasks which are labor intensive, limited in their needs for capital and material expenditures, and which serve real needs of the agencies and the public. The range of job opportunities and the service to the public can be addressed in a more complete way by establishing a conservation corps-type program in each of the resource-related agencies.

SUMMARY:

A conservation corps is established within the Departments of Game, Fisheries, Agriculture, Natural Resources, Ecology, Employment Security, and the Parks and Recreation Commission. Tasks to be undertaken by the conservation corps for each agency are identified, ranging from stream-bank erosion control within the Department of Ecology to noxious weed control within the Department of Game. Corps members are to be between eighteen and twenty-five years old, and are to be selected based on their orientation towards public service, development of job skills and productive work habits, and character development. Members are to be reimbursed at the federal minimum wage; the program is to be operated to the maximum extent possible as a residential program, and in such cases, participating members are to receive a stipend, as well as housing. Period of service is to be six months, which may be extended by mutual agreement.

Where appropriate, special education in basic skills may be provided in cooperation with the community college system or other appropriate institution. Reports from each of the agencies are to be presented to the Legislature on the progress made in development of the corps program.

The Youth Employment Exchange of the Department of Employment Security is designated as the overall coordinator of the program and is responsible for recruitment of personnel, if SHB 251 is enacted; if not, the Department of Employment Security is to have the responsibility. A study to identify sites for residential conservation camps is to be undertaken, utilizing the Cispus Educational Center as a pilot program.

Corps members are to be unemployed at the time of their selection, and must be citizens or lawful residents of the United States.

A community recycling pilot project is to be developed within a selected community. An advisory committee is to be established to assist in the development and the policy direction of the pilot project. Also, conservation corps members under the jurisdiction of the Parks Commission may perform tasks involving the rehabilitation and renovation of historic structures, coordinated through the State Historic Preservation Officer.

Future Obligation: A report to the Legislature is required of the various agency directors concerning progress towards implementation.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>			
Senate	41	6	
<u>First Special Session</u>			
Senate	38	8	
House	80	17	(House amended)
Senate	35	11	(Senate concurred)

EFFECTIVE: August 23, 1983

**SSB 3628**

C 31 L 83 E1

By Committee on Natural Resources (Originally sponsored by Senator Owen)

Establishing Hood Canal shrimp fishing licenses.

Senate Committee on Natural Resources

House Committee on Natural Resources

BACKGROUND:

A license is not required to fish for Hood Canal shrimp for personal use. The fee for a commercial shellfish pot license is \$35.00 for residents and \$60.00 for nonresidents.

Razor clam commercial license fees are \$5.00 annually. The minimal license fee has resulted in purchase of commercial licenses for personal use.

Increasing license fees may change the participation in the Hood Canal shrimp fisheries, and the razor clam commercial fisheries.

SUMMARY:

A license is required for Hood Canal personal use shrimp fishing and commercial Hood Canal shrimp endorsement fees are established:

Annual Hood Canal Shrimp License Fees

	<u>Resident</u>	<u>Nonresident</u>
Personal Use .....	\$ 5.00	\$ 15.00
Commercial Endorsement ...	\$ 165.00	\$ 340.00

Persons over the age of 70 years may pay a one-time personal use license fee of \$5.00. The residency requirement is increased from 30 days to 90 days.

Commercial fishermen are limited to fifty shrimp pots and are required to purchase a shellfish pot



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**SSB 3628**

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license in addition to the commercial endorsement.

Commercial razor clam license fees are increased from \$5.00 to \$50.00 for residents and to \$100.00 for nonresidents.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate 43 2

First Special Session

Senate 45 1  
House 97 0 (House amended)  
Senate 45 0 (Senate concurred)

EFFECTIVE: January 1, 1984

**SSB 3630**

C 262 L 83

By Committee on Agriculture (Originally sponsored by Senators Sellar, Hansen, Newhouse and Barr)

Modifying provisions relating to irrigation district board meetings.

Senate Committee on Agriculture

House Committee on Agriculture

**BACKGROUND:**

Currently, irrigation district boards of all sizes are required to hold regular meetings once per month and are required to publish in printed form copies of bylaws, rules and regulations.

**SUMMARY:**

Irrigation district boards serving less than 5,000 acres are allowed to hold regular meetings on a quarterly basis. Copies of bylaws, rules and regulations are required only to be available during office hours for inspection by any elector.

**VOTES ON FINAL PASSAGE:**

Senate 47 0  
House 94 0 (House amended)  
Senate 47 1 (Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3637**

C 263 L 83

By Committee on Local Government (Originally sponsored by Senators Thompson, Hemstad, Talmadge and Newhouse)

Modifying provisions relating to declaratory judgments of bond issues.

Senate Committee on Local Government

House Committee on Judiciary

**BACKGROUND:**

The legislative body of a county, city, school district, municipal corporation, or taxing district may seek a declaratory judgment in superior court to establish the validity of a proposed bond issue.

An agency, instrumentality, or public corporation of these local units of government do not have the same authority to seek a declaratory judgment on a proposed bond issue. The issuance of industrial development bonds and other bonds would be simplified if an agency or instrumentality of a local unit of government could seek declaratory judgments.

**SUMMARY:**

An agency, instrumentality, or public corporation of a local governing body may seek a declaratory judgment to establish the validity of a proposed bond issue.

**VOTES ON FINAL PASSAGE:**

Senate 43 0  
House 96 0 (House amended)  
Senate 39 0 (Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3640**

C 264 L 83

By Committee on Judiciary (Originally sponsored by Senators Moore and Talmadge)

Modifying the residential landlord-tenant act.

Senate Committee on Judiciary

## House Committee on Judiciary

## BACKGROUND:

The Residential Landlord-Tenant Act governs residential rentals in this state.

A landlord is prohibited from taking the tenant's property to satisfy past due rents. If the landlord takes the property and refuses to return it, he or she is liable only for the value of the property retained, costs, and attorneys' fees.

A tenant may be required to pay deposits or fees before moving in. Upon vacating the premises, some monies may be returned to the tenant while others may be retained by the landlord. The landlord has fourteen days after the tenant leaves to return the money due the tenant or a statement about it. The Attorney General's Fair Practices Division has received numerous complaints about the retention of fees and/or deposits.

If the tenant abandons the rental unit, the landlord must store any abandoned property in a secure place and, after sixty days, the landlord may sell this property.

The landlord is not allowed to retaliate against a tenant with an eviction because the tenant exercises rights under the Landlord Tenant Act, such as legitimately complaining of a landlord not complying with statutorily imposed duties. An exception to this protection allows an eviction if the landlord gives a standard 20 day notice.

Arbitration of landlord-tenant disputes is allowed if the parties agree. The fee for arbitration is set at \$70.

It is a violation of the Landlord Tenant Act for a tenant to stay over in a unit without paying rent or to damage the rental unit.

## SUMMARY:

If the landlord wrongfully retains property of the tenant, the landlord is liable for actual damages and, in the discretion of the court, damages of up to \$50 a day for each day the tenant is deprived of his or her property, but no more than \$1,000.

Provisions relating to deposit and fees are clarified. If the money paid is non-refundable, it must be clearly designated as a fee and as non-refundable, it may not be termed a deposit. The rental agreement must be in writing if a deposit is

required. The agreement must specify whether the deposit may be retained to cover damage to the rental unit. A written checklist or statement describing the condition of the unit is required.

If the landlord withholds a damage deposit or does not give the tenant an itemized statement of damages within 14 days, he or she is liable to the tenant for the full amount of the deposit. In some cases the court may also order the landlord to pay up to two times the amount of the deposit.

If abandoned property has a cumulative value of more than \$50, the property may be sold by the landlord after 60 days notice. If the property has a cumulative value of \$50 or less, the landlord may sell it except for personal papers, family pictures and keepsakes after seven days notice. The personal papers, family pictures and keepsakes must be held for sixty days.

The 20 day notice exception to retaliatory evictions is removed. A landlord may not evict a tenant for legitimately complaining of the landlord's not complying with statutorily imposed duties even if the landlord gives 20 days notice to the tenant.

Mediation is allowed to resolve disputes if the parties agree. If the parties go to arbitration, the fees for arbitration will be established by agreement of the parties and the arbitrator.

A tenant who maliciously and intentionally destroys the rental unit or who stays in the unit without legal right may be subject to criminal prosecution.

An optional rent escrow procedure during unlawful detainer (eviction) actions is created. The tenant must pay his or her rent into the court during the pendency of an unlawful detainer action. If the tenant fails to make the payments to the court, the landlord may obtain a writ of restitution, without bond, directing the sheriff to evict the tenant.

## VOTES ON FINAL PASSAGE:

Senate	47	1	
House	94	0	(House amended)
Senate			(Senate concurred in part)

Free Conference Committee

House	96	0
Senate	45	0

EFFECTIVE: July 24, 1983

**SSB 3642**

C 265 L 83

By Committee on Judiciary (Originally sponsored by Senators Wojahn, Patterson, Talmadge and Warnke) (By Attorney General Request)

Modifying provisions on charitable solicitations.

Senate Committee on Judiciary

House Committee on State Government

**BACKGROUND:**

From 1973 through 1982, the Director of Licensing was empowered to regulate charitable organizations and professional fund raisers engaged in soliciting funds for charitable purposes. During the 1982 legislative session, the Legislature deregulated much of the activities of the charitable organizations and professional fund raisers. Registration requirements were repealed. The Director of Licensing's authority to enforce the act was reassigned to the Attorney General and county prosecuting attorneys. The Attorney General is requesting legislation to facilitate enforcement of the Act.

Under the existing laws, those organizations not exempted must comply with governmental regulations, not engage in false advertising or promotions, not use the name of a person during soliciting without permission, and not conduct solicitations if convicted of a crime within the past ten years. Upon request by the Attorney General or prosecuting attorney, the charitable organization must submit its records for review.

The cost of solicitation cannot exceed 20 percent of the amount earned. This limitation can be waived for organizations engaged primarily in research, advocacy, or public education. If the limitation is waived, the organization must disclose during solicitation the percentage of the money raised that covers the cost of solicitation.

Although the existing law requires persons employed as professional fund raisers or professional solicitors to execute a \$5,000 surety bond, there is no stipulation for posting the bond.

A violation of any provision of the Act is a misdemeanor with a fine penalty system. The Consumer Protection Act applies.

**SUMMARY:**

A system of registration of charitable organizations and professional fund raisers is reinstated. Organizations and fund raisers will register with the Secretary of State by filing a disclosure document and paying \$15. The disclosure document includes the name of the organization; the name under which it will solicit contributions; the name and address of the treasurer; the purpose of the solicitation; the organization's solicitation history for the past three years and an irrevocable appointment of the Secretary of State to receive service of process.

Exempted volunteer hospital organizations remain exempted so long as at least 80 percent of the net proceeds of their solicitations are used for authorized purposes, such as improvement of the hospital. Regional or area branches of parent organizations may be exempt if the parent organization meets certain requirements and files an application. Exempt religious organizations are also exempted from investigation by the Attorney General.

The requirement that the cost of solicitation not exceed 20 percent of the total and the waiver for certain types of groups is removed. Instead, individuals or organizations are to disclose during soliciting the name of the individual making the solicitation, the name of the organization, the purpose of the solicitation and, upon request, the estimated percentage of the moneys received that will be applied to the cost of solicitation or to the charitable purpose.

Professional fund raisers shall file a bond with the Secretary of State. A bond is no longer required of professional solicitors.

A violation of the chapter is a misdemeanor (90 days and/or \$1,000) and is an unfair act subject to the Consumer Protection Act.

Appropriation: \$52,061 (\$33,583 for the first year and \$18,478 for the second year)

Revenue: A fifteen dollar filing fee is established for registration by a professional fund raiser or charitable organization. A twenty-five dollar fee is established for service of process upon the Secretary of State.

Rule Making Authority: The act delegates new rule-making authority to the Secretary of State.

## VOTES ON FINAL PASSAGE:

Senate	47	0	
House	96	1	(House amended)
Senate	43	3	(Senate concurred)

EFFECTIVE: January 1, 1984  
July 24, 1983 (Section 19)

**SB 3644**

C 266 L 83

By Senators Goltz, Guess, Rinehart, Thompson and Gaspard

Exempting certain institutions offering continuing education credits from the educational services registration act.

Senate Committee on Education

House Committee on Higher Education

## BACKGROUND:

Presently, professional organizations or institutions which offer continuing education and professional development courses designed for meeting licensing requirements must fulfill the requirements of the Educational Services Registration Act.

Further, short-term workshops and seminars designed for personal or professional growth which do not offer academic credit presently must fulfill the requirements of the Educational Services Registration Act.

## SUMMARY:

Institutions which offer only courses approved to meet continuing education requirements for licensure under RCW Chapters 18.04 (accounting), 18.78 (practical nursing), 18.88 (registered nursing), and 48.17 (insurance) are exempted from the Educational Services Registration Act.

Institutions not otherwise exempt which offer only workshops or seminars lasting no longer than three calendar days and for which academic credit is not awarded are exempted from the Educational Services Registration Act.

## VOTES ON FINAL PASSAGE:

Senate	45	0
House	94	3

EFFECTIVE: July 24, 1983

**SSB 3645**

C 35 L 83

By Committee on Social and Health Services (Originally sponsored by Senators McManus, Talmadge, Rinehart, Hemstad, Lee, Kiskaddon, Fleming and Moore)

Modifying provisions relating to mental health insurance.

Senate Committee on Social and Health Services

House Committee on Social and Health Services

## BACKGROUND:

There is an increasing conviction that untreated mental and emotional problems have a negative impact on society. Furthermore, these problems may become exceedingly costly, both financial and socially, if not attended to at an early stage.

## SUMMARY:

Each group disability insurance contract, group contract for health care services issued by a health care service contractor, or group health maintenance agreement issued after July 1, 1983 must offer optional supplemental mental health coverage to the insured and insured's dependents. Mental health treatment must be covered if it is rendered by: 1) an osteopath or physician; 2) a psychologist; or 3) a community mental health agency licensed by the Department of Social and Health Services. In order to qualify for coverage, a licensed community mental health agency must have a plan for quality assurance and peer review and treatment must be supervised by a licensed osteopathic physician, physician or psychologist.

The treatment must be covered at the usual and customary rates. The treatment may be subject to contract provisions requiring reasonable deductible amounts or co-payments.

The group contracts enumerated above may provide for a waiver of mental health coverage if the contract holder so states in advance.

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**SSB 3645**

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## VOTES ON FINAL PASSAGE:

Senate 37 10  
House 92 4

EFFECTIVE: July 1, 1983

**SSB 3646**

C 267 L 83

By Committee on Institutions (Originally sponsored  
by Senator Granlund)

Modifying the rights of juvenile offenders.

Senate Committee on Institutions

House Committee on Social and Health Services

## BACKGROUND:

Under current statute neither the fingerprints nor a photograph may be taken of a juvenile without the consent of the juvenile except when a juvenile is arrested for a felony.

Juvenile court administrators have no legal authority to authorize medical or dental care for juveniles in detention. This can pose a threat to a juvenile's health if his or her parent is not available to authorize such care.

## SUMMARY:

A juvenile may expressly waive his or her right to not be photographed after having been fully informed of the privilege against self-incrimination. If the juvenile does so waive his or her rights, the photograph may be used in educational or training programs.

A juvenile court administrator or authorized staff may authorize medical or dental care of a juvenile in a detention facility without a parent's or guardian's consent, if reasonable attempts to secure such permission have failed and prompt attention is necessary. Such care may include treatment at medical or dental facilities outside the juvenile detention facility and treatment provided within the facility while the youth is in custody.

Treatment may not be authorized for juveniles whose parent or guardian objects to treatment before it is provided except when the juvenile is

14 years or older and consents to drug counseling or treatment.

## VOTES ON FINAL PASSAGE:

Senate 42 0  
House 95 0

EFFECTIVE: July 24, 1983

**SB 3655**

C 154 L 83

By Senators Shinpoch, Moore, Goltz, McManus,  
Deccio and Warnke

Modifying provisions relating to podiatry.

Senate Committee on Social and Health Services

House Committee on Social and Health Services

## BACKGROUND:

Podiatrists claim that they are not reimbursed by certain health care service contractors for services which would be reimbursed if performed by a physician. A health care service contractor is a medical insurance business which is sponsored by or otherwise intimately connected with a group of doctors or hospitals, such as Washington Physician's Service.

## SUMMARY:

Medical benefits may not be denied by a health care service contractor for any service performed by a licensed podiatrist if the service was performed within the lawful scope of the podiatrist's license and a physician would be reimbursed for performing the service. A requirement for reimbursement by a health care service contractor may not be imposed upon one class of doctors providing health care services which is not imposed upon all other doctors providing the same or similar service.

These provisions do not apply to health maintenance organizations such as Group Health Cooperative.

The requirements in this act apply only to future contracts.

A health care service contractor which provides foot care services may not exclude any podiatrist

from being a participant on the basis of practicing as a podiatrist.

VOTES ON FINAL PASSAGE:

Senate 35 14  
House 92 5

EFFECTIVE: July 24, 1983

**SSB 3657**

C 268 L 83

By Committee on State Government (Originally sponsored by Senators Wojahn, McDermott and Talmadge)

Modifying provisions relating to the use of state-owned armories.

Senate Committee on State Government

House Committee on State Government

BACKGROUND:

Several social service agencies which operate emergency shelters have reported that they are unable to meet the need to house homeless families. Studies are being conducted by the federal government to determine how emergency housing assistance can be provided to local areas.

State-owned armories may currently be used for limited purposes such as meeting rooms for veterans' organizations, athletic and social events sponsored by veterans' organizations, transient lodging for service personnel, use of armory rifle ranges by certain rifle clubs and casual civic purposes, including sports events and theatricals.

Making state-owned armories available for transient lodging might ease the current problem for homeless families.

SUMMARY:

In addition to current uses allowed for state-owned armories, the Adjutant General may permit transient lodging in armories upon request of the executive head or governing body of a county, city or town, and may charge no more than the actual cost of staffing, heating, lighting, and other miscellaneous expenses.

Several grammatical changes are made, and a reference to an obsolete special fund is deleted.

VOTES ON FINAL PASSAGE:

Senate 46 0  
House 88 10 (House amended)  
Senate 41 0 (Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3660**

C 41 L 83 E1

By Committee on Social and Health Services (Originally sponsored by Senators McManus and Kiskaddon, and By Department of Social and Health Services Request)

Modifying laws governing the department of social and health services and its powers and duties.

Senate Committee on Social and Health Services

House Committee on Social and Health Services

BACKGROUND:

The Department of Social and Health Services has indicated that certain statutes relating to its programs are outdated and hamper effective administration.

SUMMARY:

Miscellaneous Changes

The Department of Social and Health Services (DSHS) is no longer limited to \$1,500 a year per client to provide sheltered employment for mentally retarded, severely handicapped and disadvantaged clients.

Vendors are defined as individuals and agencies providing services under contract to or for the clientele of DSHS. Vendors are required to pay interest at the rate of 1 percent per month or at least \$1 a month if they are overpaid. DSHS may recover this interest by setting it off against future contract payments.

The term "developmental disability" is redefined to include autism and other conditions found by the Secretary of DSHS to be closely related to

mental retardation or to require treatment similar to that required for mentally retarded individuals.

DSHS is authorized to establish and operate workshops for the training, habilitation and rehabilitation of residents of institutions of DSHS. Prior to establishing new state-operated workshops at institutions, DSHS must consider the availability, appropriateness and relative cost of contracting with and give first preference to private nonprofit agencies to provide workshop activities for residents of the institution. Any profits from this program will go into a revolving fund to be expended for the purchase of supplies and materials for use in the workshop, to provide pay and training incentives for residents, and for other costs of the operation of the workshop. If DSHS runs sheltered workshops they must meet the same standards which private sheltered workshops must meet.

Subpoenas issued in agency hearings and contested cases of DSHS will be subject to provisions in the Administrative Procedure Act.

Local prosecuting attorneys are given the authority to seek a court-issued restraining order to prohibit abuse of patients in nursing homes and state hospitals.

The Secretary of DSHS is given the authority to appoint one individual to serve as the chief administrator, executive or superintendent for more than one facility or institution of a similar nature of the Department. The Secretary may not, however, provide for joint administration for the Schools for the Deaf and Blind.

The State Personnel Board will no longer establish the qualifications for the superintendents of Echo Glen and Interlake School.

The superintendents of the state mental hospitals are no longer required to be psychiatrists. If the superintendent is not a psychiatrist, clinical care shall be under the direction of a qualified psychiatrist.

The superintendents of state residential schools are no longer required to be either licensed physicians or have master's degrees from an accredited college or university in psychology, social science or education.

The chapter relating to Cascadia Diagnostic Center, which is no longer owned or operated by the state, is repealed.

The definition of "health care facility" in the chapter relating to health planning is amended to strike "alcoholism hospitals."

#### Child Support Changes

Numerous changes are made in the statutes which relate to enforcement of child support obligations and determinations of paternity. Support debts owed to DSHS are not extinguished by a final decree or order relating to a divorce or property settlement unless DSHS was notified of the final proceeding and was given an opportunity to present its claim to the court and has failed to do so. Child support payments may be collected from a stepparent's earnings and property. Stepparents may protect their earnings to the degree that they can identify them in a community bank account. Certain changes are made in the laws relating to paternity to standardize procedures and assure that the provisions of the Uniform Parentage Act apply to all children regardless of their date of birth. DSHS, the Attorney General, or a prosecuting attorney may have access to original birth certificates and evidence of paternity in furtherance of an action to enforce a support obligation. DSHS is given greater flexibility to coordinate with other state and federal agencies to locate parents who have abandoned their children or who have wrongfully taken their children.

#### Public Assistance Changes

DSHS and the Office of Administrative Hearings must provide bilingual services to assure that non-English speaking persons are not denied or are not unable to obtain or maintain services or benefits because of their inability to speak English. DSHS must, through attrition, employ bilingual personnel in community service offices (CSOs) which serve non-English speaking recipients in excess of 50 percent of the caseload of one FTE.

DSHS may not collect payments for residential care if the collection will reduce the income of the remaining members of the household below the full standard of need for the Aid to Families of Dependent Children (AFDC) program.

The Secretary of DSHS may use state funds to continue federal aid assistance programs when there is a temporary interruption in the availability of federal funds under circumstances enumerated and only until June 30, 1985.

Categorical eligibility for the general assistance (G.A.) program is extended to pregnant women. During any period when there is not an AFDC-E

(two parent AFDC) program in operation, only single pregnant women are eligible. The criteria for G.A. (a fully state-funded program) eligibility now include a requirement that the applicant not be eligible for a federal program, other than food stamps and medical assistance for reasons other than the resource or income eligibility (for example: no children in the household). A second eligibility category is for incapacitated persons. The third categorically eligible group is those persons eligible for SSI whose needs are not met due to a separation from their spouse.

General assistance will only be provided to persons who accept available services which can reasonably be expected to enable the recipient to work or reduce the need for assistance. Examples of such services might include vocational rehabilitation services, mental health treatment, or surgery or other medical treatment. Failure to accept such services will result in termination of eligibility until the recipient agrees to cooperate, for periods enumerated.

The definition of "income" for public assistance eligibility is amended to include income received during the month of application or after applying for assistance. This permits DSHS to determine eligibility based upon a full month's income of an applicant.

Individuals who are receiving G.A. must enter into an agreement with DSHS to reimburse DSHS for the G.A. payments if back SSI payments are awarded. Such an agreement must provide that, if the person was represented by an attorney at an SSI appeal, 25 percent of the reimbursement received by DSHS will go to the attorney to the extent allowed by the federal government.

Standards of need for public assistance programs must be developed for each fiscal year. Such standards must be based on studies on actual living costs and an inflation index. The standard of need may only be lowered to take into account the economies of joint living arrangements if the actual grant standard is at least equal to the need standard.

To the extent funds are authorized by the Legislature and that federal matching funds are available, an AFDC-E program is recreated. This program provides assistance to children of two parent families both of whom are unemployed and therefore unable to support their children.

DSHS must provide a community work and training program for AFDC recipients beginning January 1, 1984. This program must serve at least 200 recipients a biennium and use the effective components of the community work experience pilot program (in Pierce and Spokane Counties). DSHS is required to apply for a waiver from the federal government for a community work and training program for food stamp recipients. This program must be established in one county west of the Cascades and one county east of the Cascades and must serve at least 100 recipients each fiscal year. With the exception of certain individuals specifically exempted, recipients may be required to participate in this program in order to continue to be eligible for food stamps.

#### Chore Services Changes

The eligibility criteria for chore services are modified. Eligibility for chore services at no cost to the recipient is extended to recipients of the state supplemental and limited casualty programs along with SSI recipients who are categorically eligible. Other individuals are eligible for chore services at a reduced level based on their ability to purchase the services. Recipients cannot be charged at a level which would put their remaining income below 30 percent of the state median income (the state median income is \$323 a month per single person). Subject to the availability of funds, DSHS is directed to develop a sliding scale for participation considering a portion of income between 30 and 50 percent of the state median income and all income above 50 percent of the state median income. The department must maintain services to those persons below 30 percent of the state median income at the level they are receiving on the effective date of this act. The department may continue, without a reduction, benefits to other persons receiving chore services at the time of the effective date of this act. DSHS must try to obtain volunteer chore services for individuals who are at risk of being institutionalized and who are only eligible for five or less hours of chore services per month. Individuals who are "at risk" but not eligible for chore services or eligible at a reduced level of service must be referred to the volunteer chore service program where such a program exists.

Future Obligation: DSHS is directed to report to the Legislature on July 1, 1984, on the cost effectiveness of translating all written forms, notices and other documents to non-English recipients.



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**SSB 3660**

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## VOTES ON FINAL PASSAGE:

Regular Session  
Senate 42 4

First Special Session  
Senate 42 2  
House 76 20 (House amended)  
Senate 33 10 (Senate concurred)

EFFECTIVE: August 23, 1983

**SSB 3664**

C 269 L 83

By Committee on Parks and Ecology (Originally sponsored by Senator Hughes)

Authorizing the use of funds for the protection of certain sole-source aquifers.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

## BACKGROUND:

Washington residents in certain areas depend on local groundwater aquifers as their only source of water for domestic use. Contamination of these aquifers through septic tank leachate or other means can have particularly onerous impacts. Referendum 39 provides funding for solid and liquid waste disposal, but does not make reference to the special concerns related to sole-source aquifers.

## SUMMARY:

Protection of federally-designated sole-source aquifers is declared to be a high priority in the expenditure of Referendum 39 funds.

## VOTES ON FINAL PASSAGE:

Senate 26 20  
House 92 0

EFFECTIVE: July 24, 1983

**SB 3674**

C 270 L 83

By Senator Hughes

Relating to pollution control.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

## BACKGROUND:

The Federal Water Pollution Control Act has been amended in recent years and is now referred to as the "Federal Clean Water Act." The RCW has not been revised to conform with the new federal language.

State agencies need both state and federal authorization to administer certain federal programs. The Legislature has not yet granted state authority for an agency to administer the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act or the Safe Drinking Water Act.

## SUMMARY:

References to the "Federal Water Pollution Control Act" are changed to the "Federal Clean Water Act."

The Department of Ecology is authorized to participate in the federal Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act, and, with the Department of Social and Health Services, the Department of Natural Resources, and the Oil and Gas Conservation Committee, the Safe Drinking Water Act.

The Department of Ecology is authorized to participate in any future federal program established under the federal Safe Drinking Water Act which provides matching funds for planning and implementation of a sole source aquifer protection program.

## VOTES ON FINAL PASSAGE:

Senate 39 5  
House 96 0 (House amended)  
Senate 43 3 (Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 3742**

C 136 L 83

By Committee on Judiciary (Originally sponsored by Senators Bender, Rinehart, Williams and Granlund)

Modifying provisions relating to precinct committeemen.

Senate Committee on Judiciary

House Committee on Constitution, Elections and Ethics

**BACKGROUND:**

There exists in current law a discrepancy between the ballots at the polling place and absentee ballots. Currently absentee ballots do not contain the names of uncontested candidates for precinct committeeperson. Also, write-in votes for any candidates for the office of precinct committeeperson are not counted in the vote total.

**SUMMARY:**

Every absentee ballot issued must include the name of every candidate for the office of precinct committeeperson. In addition, every absentee ballot must also make a provision for writing in the name of any additional candidate for the office of precinct committeeperson.

With respect to absentee ballots, write-in votes for uncontested precinct committeepersons are to be canvassed and included in the official vote count.

**VOTES ON FINAL PASSAGE:**

Senate	41	0
House	96	0

EFFECTIVE: July 24, 1983

**SSB 3757**

C 236 L 83

By Committee on Social and Health Services (Originally sponsored by Senators McManus, Deccio, Lee, Thompson, Conner, Hansen, Peterson, Kiskaddon, Zimmerman, Bauer, Sellar, Vognild,

Guess, Pullen, Hurley, Moore, Fleming, Haley, Hayner and Granlund)

Modifying provisions relating to nursing homes.

Senate Committee on Social and Health Services

House Committee on Social and Health Services

**BACKGROUND:**

Nursing homes constitute an important part of the long-term care system and can serve as a center for additional community based services. Community based services might be provided more efficiently by nursing homes through the use of existing management and facilities than may otherwise be possible.

**SUMMARY:**

The definition of "nursing home" is expanded to include community-based care. Community-based care includes, but is not limited to, the following: (1) home health care; (2) personal care; (3) day care; (4) nutritional services, both in-home and in a communal dining setting; (5) habilitation care; and (6) respite care.

Nursing homes that provide community-based care must establish and maintain separate and distinct accounting records and other essential records for the purpose of appropriately allocating the costs of such care. Such costs will not be reimbursed by the state.

The Department of Social and Health Services must inspect community-based services as part of the inspection required before nursing home license renewal.

Nothing in this act shall effect the certificate of need program.

**VOTES ON FINAL PASSAGE:**

Senate	48	0
House	95	0

EFFECTIVE: July 24, 1983

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**SB 3760**

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**SB 3760**

C 51 L 83 E1

By Senators Vognild, Hurley, Guess and Hughes

Modifying provisions relating to local economic development.

Senate Committee on Commerce and Labor

House Committee on Commerce and Labor

**BACKGROUND:**

In 1981 the voters approved a constitutional amendment (House Joint Resolution 7) which authorizes state and local governments to issue industrial development revenue bonds for private industrial development purposes.

Industrial development revenue bonds are a method of financing private industrial development facilities whereby a public corporation may issue tax exempt bonds to finance a project.

Under current statute "industrial development facilities" is defined to include the following activities: manufacturing, processing, production, assembly, warehousing, transportation, pollution control, solid waste disposal and energy facilities. These facilities are eligible for industrial revenue bond financing.

The Department of Commerce and Economic Development has issued an informal finding that although "research" facilities are probably eligible for the issuance of industrial revenue bonds as ancillary activities to an eligible project, a project with research as its primary purpose would probably not be eligible. "Industrial parks" are among those facilities which are qualified as "exempt facilities" under federal law and thus are not subject to bonding limits imposed on other types of facilities. Proponents contend that since "industrial parks" and facilities with the primary purpose of "research" enjoy a special status under current federal law, they should be eligible for industrial revenue bonds under state law.

**SUMMARY:**

The definition of "industrial development facilities" is expanded to include "research" and "industrial parks." Consequently, industrial development revenue bonds may be issued for such facilities.

An "industrial park" is further defined, as in federal law, to mean the acquisition and development of land as a site but not including the structure and buildings placed on that site. Incidental facilities for the provisions of water, sewage, drainage or similar facilities or transportation, energy or communication facilities are included as part of the eligible facility. In other words, only the infrastructure of an "industrial park" qualifies under those provisions. Other facilities placed on the industrial park must qualify for industrial revenue bonds individually and on their own merits.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 37 11

First Special Session  
Senate 36 8  
House 79 16

EFFECTIVE: August 23, 1983

**SB 3763**

C 271 L 83

By Senators Fuller and McManus

Modifying the income reporting requirements for guardians.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

Current law requires that a person serving as a guardian for an incompetent person usually execute a bond to insure that he or she competently manages the incompetent individual's assets and affairs. With the court's approval, a bond need not be executed if the incompetent person has assets of less than three thousand dollars. In that event, however, the guardian must report to the court any changes in the person's assets which increase their value over three thousand dollars.

The guardian must also file a yearly statement showing the monthly income of the incompetent person if that income exceeds two hundred fifty dollars per month for any three consecutive months. This two hundred fifty dollar threshold is

believed to be too low, given the inflation of recent years. This results in guardians having to file annual income statements for what are in reality relatively small amounts of income. Moreover, many incompetent or disabled persons receive state or federal benefits which, though often their only source of income, are large enough to require that the guardian file an income statement reflecting their receipt. It is believed that these benefits should be excluded from the income reporting requirement because, unlike other types of income received by the incompetent or disabled person, they do not reflect the guardian's management of the person's assets.

#### SUMMARY:

A guardian is required to file an annual statement of income if the incompetent or disabled person's income exceeds four hundred dollars in any three consecutive months during the year. Federal and state benefits are excluded when calculating that amount.

#### VOTES ON FINAL PASSAGE:

Senate	47	0
House	95	0

EFFECTIVE: July 24, 1983

### SSB 3780

C 67 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senators Fleming, Jones, McManus, McDermott and Deccio) (By Department of Social and Health Services Request)

Modifying provisions relating to nursing homes.

Senate Committee on Ways and Means

House Committee on Ways and Means

#### BACKGROUND:

The Department of Social and Health Services contracts with nursing homes to care for indigent patients under the Medicaid program. Medicaid rates are currently determined under RCW 74.09-.610, enacted in 1981 and amended in 1982. This

statute provides standards for rate-setting only in the 1981-83 biennium.

In 1980, the Legislature enacted Chapter 74.46 RCW, which establishes a comprehensive cost-based rate-setting and payment system for nursing homes. Portions of this chapter were scheduled to take effect July 1, 1981, and other portions were to take effect a year later. In the 1981 session, the Legislature delayed the effective dates of most sections of Chapter 74.46 two years, to July 1, 1983, and July 1, 1984, respectively.

The Governor's proposed 1983-85 budget does not request sufficient funds to permit the implementation of Chapter 74.46 in full as presently scheduled.

#### SUMMARY:

A permanent nursing home cost reimbursement system is established for the cost centers of nursing services, food, and administration and operations, taking effect July 1, 1983. An interim system is established for the property cost center and for return on equity from July 1, 1983, until December 31, 1984, and a permanent system for property and return on investment is established effective January 1, 1985. Supplemental funding for nursing services is appropriated from authorized recoveries of established overpayments dating back to 1978 and 1979. Required independent audits of nursing homes are replaced by audits conducted by DSHS, and other changes are made in the cost reimbursement process.

Audits. Audits of nursing home cost reports by independent accountants are replaced by audits conducted by DSHS personnel (current practice). Each nursing home is to be audited at least every three years. The State Auditor is required to review annually DSHS' performance to ensure that audits are properly conducted.

Settlement process. DSHS is to evaluate each nursing home's annual cost report and issue a preliminary settlement report within 120 days. The contractor nursing home may contest any part of the preliminary settlement within 30 days after receipt, but DSHS may recover any uncontested overpayment beginning 30 days after submitting the preliminary settlement to the provider. The preliminary settlement becomes final after an audit or, if no audit is conducted, 12 months after issuance of the preliminary settlement. Underpayments due the contractor are payable 30 days

after the settlement becomes final. DSHS may continue shifting savings in cost centers to cover deficits in other cost centers, except that no funds may be shifted into the property cost center.

Allowable costs. Contractors must show that portions of joint facility costs allocated to the nursing home are necessary, nonduplicative, and allocated in accordance with benefits received, but contractors need not make such a showing in detail if such allocations are the same as in the preceding year. Interest expense for working capital and property loans is made an allowable cost if related to patient care and not above what a prudent borrower would pay. Until January 1, 1985, interest expense of loans from a related party may not be reimbursed except to the extent of interest due from the related party to another party in an arm's length transaction. Interest income from the investment of unrestricted funds is deducted from allowable interest expense, but interest income from investment of restricted funds is not so deducted. Until January 1, 1985, lease expenses are allowable insofar as necessary, ordinary, and related to patient care. Dollar thresholds for capitalization of assets are updated. Bad debts of Medicaid patients are made allowable costs only after the provider has made reasonable efforts to collect. Nursing home association dues are made unallowable costs insofar as attributable to membership in national organizations. Contractors may retain industrial insurance dividends or premium discounts under RCW 51.16.035 insofar as attributable to private patients.

Rate-setting process. Rates are to be adjusted for economic conditions and trends in accordance with legislative appropriations consistent with federal requirements. Rates for new contractors must be based on six months' actual cost data. Rates must be based on desk-reviewed cost reports, subject to contractors' appeal rights, and may be adjusted for changes in patient characteristics or in DSHS-required staffing levels. Rates may be revised when an error has occurred, up to 120 days after a prior-year settlement has become final. Public comment on rate-setting criteria is to be allowed consistent with federal requirements.

Rates: Nursing services. After July 1, 1984, this cost center will include the cost of therapists. Beginning July 1, 1983, DSHS is to establish a reasonable limit on nursing staff based on patient characteristics. Homes whose staffing now exceeds that limit may continue receiving their June 1983 rates plus any adjustments made available to all homes. Those

now staffed below the limit will have their rates set based on the lesser of actual costs plus inflation or the increase in the medical care component of the consumer price index (or similar index chosen by DSHS). Homes staffed above the limit will have rates set in the same manner but subject to the limit. Homes with serious staffing deficiencies may have rates increased to add staff if funds are appropriated for this purpose.

Rates: Food. Food costs are to be reimbursed at the January 1983 rate plus inflation.

Rates: Property and return. From July 1, 1983 through December 31, 1984, property cost reimbursement is limited to the predicted cost plus 1.75 standard deviation of prior period allowable costs of depreciation and interest of owner-operated facilities. During this period, return on equity, as defined in Medicare rules and regulations, is 12 percent, subject to a \$2 per patient day limit. Beginning January 1, 1985, the property reimbursement formula in RCW 74.46.510 takes effect, and return on investment includes a financing allowance of 11 percent of net invested funds and a variable rate of return from 1 percent to 4 percent depending on a nursing home's ranking in administration and operations costs.

Overpayment recovery. Contractors who were determined to have been overpaid in relation to their 1978 and/or 1979 costs are required to return the overpayments promptly to DSHS upon notice, subject to a 1 percent monthly interest penalty and DSHS's right to recover unreimbursed overpayments from subsequent cost reimbursements payable to the contractor.

Miscellaneous. Providers challenging the legal validity of a statute, rule, or contract provision may bypass the DSHS hearing process and go directly to court. Time limits for conferences to review contested decisions are extended to 90 days, and the requirement that hearing decisions be prepared for the Legislature is dropped. State statutes defining general DSHS health care purchase principles and nursing home building inspection responsibilities are declared inoperative to the extent of any conflict with federal law. A requirement that DSHS report to the Legislature its regulations for the reimbursement system covering institutions for the mentally retarded is dropped. The State Fire Marshal is given exclusive authority to determine appropriate corrective action when a nursing home fails to meet building code requirements.

Appropriation: \$60,000 for the State Auditor to permit annual review of DSHS auditing practices; \$3,300,000 for DSHS to supplement funding of the nursing services cost center.

VOTES ON FINAL PASSAGE:

First Special Session

Senate	45	3	
House	64	28	(House amended)
Senate			(Senate asked House to recede)
House			(House refused to recede)
Senate	48	0	(Senate amended)
House	82	16	

EFFECTIVE: July 1, 1983  
January 1, 1985 (Section 28)

**SSB 3782**

C 232 L 83

By Committee on Judiciary (Originally sponsored by Senators Talmadge, McCaslin, Zimmerman, Rasmussen and Deccio)

Modifying provisions relating to firearms.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

Persons who have been convicted of any of 10 specified crimes of violence are prohibited from possessing short firearms or pistols.

A person must possess a concealed pistol license to carry a concealed pistol. The person may be denied a license if he or she has been convicted of any of the 10 specified crimes of violence, drug addiction or habitual drunkenness, or has been committed to a mental institution. The issuing authority is given 30 days to ascertain whether the individual is eligible for a permit. The fee for the two-year license is \$5 initially and \$3 for renewal. Habitual drunkenness and drug addiction are no longer part of the Criminal Code.

A person may not purchase a pistol if he or she has been convicted of any of the 10 specified crimes of violence, drug addiction, or habitual drunkenness, or is legally judged to be of unsound

mind. Once an application for purchase has been made, the local law enforcement official has three days in which to determine whether the individual is eligible to possess a pistol.

If a person uses a firearm in violation of the law, the weapon is usually returned to the person after the criminal proceeding. If a person threatens someone else with violence, there is no specific authority for the court to keep someone's weapons temporarily.

The state or a political subdivision may enact reasonable regulation of firearms in the exercise of its constitutional authority to legislate in furtherance of the public peace, health, safety, and welfare. A county, city, town, or township may not, however, make and enforce any regulation in conflict with general laws. In 1961, the Legislature preempted and repealed all laws inconsistent with the Firearms Act.

SUMMARY:

The criteria for prohibiting a person from possessing a short firearm or pistol are altered. The list of crimes of violence is expanded to reflect the 1976 revision of the Criminal Code. In addition, persons convicted of certain felony violations of the Uniform Controlled Substances Act, or who have been committed for mental treatment, or who have been adjudged criminally insane, are ineligible to possess a firearm. Persons convicted of specified crimes who later complete probation and receive a dismissal may be eligible to possess a firearm. The Department of Social and Health Services and mental health care institutions are given authority to respond to inquiries establishing whether persons have been committed or adjudged criminally insane.

A concealed pistol license is valid for a four-year period, an increase of two years. The fees for the license are increased to \$20 for an initial license, and \$12 for a renewal. No other fees may be required. Renewal is permitted 90 days before or after the expiration date of the license. The period for the issuing authority to determine eligibility remains at 30 days for residents, but, if a person is new to this state, the issuing authority is given up to 60 days to determine eligibility. The issuing authority may issue an emergency concealed pistol license. Political subdivisions are prohibited from modifying these requirements; a civil action may be brought to enjoin wrongful refusal to issue a permit.

The restrictions on delivery of pistols are made applicable to commercial sales only. There is no waiting period for delivery of a pistol if the purchaser possesses a valid concealed pistol license or if the person has a sheriff's letter evidencing eligibility to possess a pistol. In other cases, the issuing authority is given five consecutive days to determine a resident's eligibility to purchase. The time period may be extended if a preliminary check turns up some indication that the person may be ineligible.

Forfeiture of certain firearms when other conditions exist is authorized. Such conditions include that the firearm was used in the commission of a crime, purchased or delivered in violation of the firearms chapter, used in violation of a written court order, or found on a person while under the influence of alcohol or mentally incompetent. Owners whose guns are subject to forfeiture may get them back if they show the gun was stolen or used without their knowledge or consent.

If the court orders a defendant in a domestic violence prosecution not to have any contact with the victim, it may also order the defendant to surrender temporarily his or her deadly weapon. When the court restrains a party to a dissolution proceeding from molesting or disturbing the peace of the other party or of any child, it may also require the party to surrender temporarily his or her deadly weapon.

A concealed pistol license will be revoked for three violations of the firearms chapter. A 25 percent penalty surcharge will be collected on all violations of the firearms chapter and paid into the general fund of the state treasury. The state's preemption of local firearm regulation is reasserted. Local laws and ordinances may not be inconsistent with or in excess of state law. The preemption clause does not apply to offenses committed prior to the effective date of the act.

Revenue: A new penalty assessment of 25 percent is imposed on all violations of the firearms chapter.

The fee for an initial concealed pistol license is increased from \$5 to \$20. The fee for renewal of a concealed pistol license is increased from \$3 to \$12.

**VOTES ON FINAL PASSAGE:**

Senate	40	7	
House	95	3	(House amended)
Senate	44	1	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3784**

C 7 L 83 E1

By Senators Vognild, Quigg and Shinpoch (By Department of Employment Security Request)

Modifying period during which moneys from the federal unemployment trust fund may be used by the state.

Senate Committee on Commerce and Labor

House Committee on Labor

**BACKGROUND:**

In 1956, 1957 and 1958, pursuant to the Social Security Act, excess federal funds were distributed to state employment security agencies. The law permits the use of these funds, commonly known as Reed Act funds, for administrative purposes. The federal government encourages the use of these funds for construction of office buildings for use by state employment security agencies. The Employment Security Building located at 212 Maple Park was constructed by using Reed Act funds.

The "Reed funds" represent a noninterest-bearing loan. Historically, these loans have been amortized in annual payments from federal administrative grants. Reimbursements to the state's Reed Act account are then available for reuse but only if the funds were originally used to purchase real estate. If a state's unemployment trust fund becomes insolvent and a state borrows from the federal government to pay unemployment insurance benefits, it is presumed that all available Reed Act funds were used to pay benefits before the federal loan was secured. If "Reed funds" are used to directly pay benefits, those funds are not available for reuse by the state.

The use of Reed Act funds was originally limited to five years and the use period would have expired in 1963. Since its establishment, however, the federal time limitation has been extended four times

(1963, 1968, 1971 and 1982). Conforming state legislation was also passed following the 1963, 1968 and 1971 federal revisions. The federal limitation was again extended in 1982, this time from 25 to 35 years. The current state law still reflects the 25-year limitation.

**SUMMARY:**

In conformance with the 1982 changes in the federal Social Security Act, the corresponding state law reflecting the 25-year limitation on the time period for the expenditure of Reed Act funds is revised to 35 years.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
Senate	45	0
<u>First Special Session</u>		
Senate	44	0
House	95	0

**EFFECTIVE:** May 11, 1983

**SSB 3811**

C 225 L 83

By Committee on Local Government (Originally sponsored by Senators Fleming, McDermott, McManus and Woody)

Revising the powers of housing authorities.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

Housing authorities help establish housing projects for persons of low income. The zoning laws of many municipalities require that newly constructed buildings and rehabilitated buildings contain a certain amount of commercial space. Housing authorities are not authorized to manage buildings containing a housing project if the buildings contain commercial space.

**SUMMARY:**

Housing authorities may acquire, lease, rent, sell, or otherwise dispose of commercial space located in buildings or structures containing a housing project. The commercial space may be rented at

profitable rates. "Commercial space" includes property that is suited for use as office or retail space because of its proximity to public streets, sidewalks, or thoroughfares.

Housing authorities may own or manage buildings containing commercial space or dwelling units which do not constitute a housing project, but at least 30 percent of an individual building shall be occupied by dwelling units which constitute a housing project, and at least 50 percent of the entire project shall be occupied by dwelling units which constitute a housing project.

Housing authorities may dispose of property without a finding that the property is not needed for low income housing. They are authorized to enter into joint ventures and partnership agreements.

**VOTES ON FINAL PASSAGE:**

Senate	29	20	
House	84	14	(House amended)
Senate	27	17	(Senate concurred)

**EFFECTIVE:** July 24, 1983

**SSB 3812**

C 272 L 83

By Committee on Local Government (Originally sponsored by Senator Thompson)

Modifying provisions on fees for filing surveys, plats, etc.

Senate Committee on Local Government

House Committee on Local Government

**BACKGROUND:**

The Department of Natural Resources establishes by rule the fee charged by county auditors for the filing and recording of any surveys, subdivision plats, short plats, and condominium surveys, plats, or maps. The fee may not exceed the actual cost to the Department for providing the service of collecting and processing information on boundaries, surveys, and maps.

It is suggested that a flat fee for filing and recording be established in statute rather than letting the Department set the fee.



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**SSB 3812**

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**SUMMARY:**

County auditors are directed to charge a flat fee of \$15 for the filing and recording of surveys, subdivision plats, short plats, and condominium surveys, plats, or maps.

The Department of Natural Resources is no longer required to use funds deposited in the surveys and maps account to pay for the preparation of a guide of public parks and recreation sites published by the Interagency Committee for Outdoor Recreation.

**VOTES ON FINAL PASSAGE:**

Senate 46 1  
House 94 0

EFFECTIVE: July 24, 1983

**SSB 3817**

C 42 L 83 E1

By Committee on Judiciary (Originally sponsored by Senators Fleming, Hemstad, McDermott and Talmadge)

Restricting body searches by law enforcement agencies.

Senate Committee on Judiciary

House Committee on Judiciary

**BACKGROUND:**

Police departments in the state oftentimes conduct strip searches of individuals who are to be booked into jail. At the present time, there are no specific statutes which specify how these searches are to be performed. Therefore, there is no uniform policy regarding such issues as privacy, sanitary conditions, same sex searches and witnesses.

Individuals are occasionally subject to body cavity searches prior to being booked into jail without law enforcement officials obtaining a search warrant. Also, there are no specific statutes which specify any procedural safeguards and legal rights for people who are subject to body cavity searches.

At least 11 states have adopted statutes or court rules restricting in some manner the circumstances

in which police conduct strip searches and body cavity searches.

**SUMMARY:**

A person may not be subject to a body cavity search unless a search warrant is issued pursuant to court rule.

Before strip searches or body cavity searches are authorized or conducted, law enforcement officials must utilize less-intensive methods, such as patdowns, clothing searches or metal detector searches, or demonstrate why these methods do not meet the safety or security needs of the agency.

Persons conducting a strip search are not to touch the person being searched except as necessary to conduct the search.

A ranking shift supervisor of a law enforcement agency must approve the request for a warrant for a body cavity search.

Body cavity searches must be performed under the supervision of a physician, registered nurse, or physician assistant.

A follow-up report is to be prepared describing the results of the body cavity search.

Searches must be performed in a manner to insure privacy and by persons of the same sex as the person searched.

No person may be present at a search unless necessary to conduct the search or for security purposes. However, a person subject to a body cavity search may request the presence of a readily available person at the time of a search.

A civil cause of action is established and actual damages may be recovered. The court may also provide injunctive and declaratory relief.

Existing common law or statutory rights are not limited or restricted.

Future Obligation: The Corrections Standards Board is directed to identify the categories of prisoners who should not be strip searched and make recommendations to the 1984 Legislature.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 45 3  
House 91 4 (House amended)  
Senate (Senate refused to concur)

First Special Session

Senate 40 7  
 House 94 2 (House amended)  
 Senate (Senate refused to concur)

Free Conference Committee

House 84 0  
 Senate 40 6

EFFECTIVE: July 1, 1983

**SB 3840**

C 226 L 83

By Senators Shinpoch, Hemstad and Wojahn

Permitting employees to participate in state deferred compensation plans.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

The state, through the Committee for Deferred Compensation, is authorized to develop retirement plans for state employees in accordance with federal requirements. Any county, municipality, or other subdivision of the state may do the same for its employees. Those employees who may elect to be included in a deferred compensation agreement include: all full-time, part-time and career seasonal state or local government employees, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full-time members of boards, commissions, or committees; Supreme Court justices and lower court judges; and members of the State Legislature or legislative body of any county, city or town. Some local employees have expressed a desire to be able to participate in the state program.

**SUMMARY:**

Counties, municipalities, or other subdivisions of the state may elect to participate in deferred compensation agreements entered into by the Committee for Deferred Compensation.

Provisions are made to assure that assets and property rights of local jurisdictions whose

employees participate in the state deferred compensation program are retained separately by the respective jurisdictions.

**VOTES ON FINAL PASSAGE:**

Senate 40 0  
 House 96 0

EFFECTIVE: July 24, 1983

**SB 3843**

C 273 L 83

By Senators Bluechel, Thompson and Jones

Establishing a Washington state board on geographic names.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

The State Board on Geographic Names was included in the sunset schedule for review by, and termination on, June 30, 1981. The Board ceased operations on June 30, 1982, because no affirmative legislation was enacted for its continuation.

The Legislative Budget Committee and Office of Financial Management program and fiscal reviews concluded that the board served to coordinate place-naming activities between local, state and federal agencies. While the Board did not initiate name changes, its recommendations were regularly sought by the U.S. Board on Geographic Names.

Surveys of historic societies, search and rescue groups and several government agencies indicated support for the Board's place-naming activities.

Current place-naming activities are conducted internally by an ad hoc group advising the Department of Natural Resources. There may be a particular problem relating to place names as a result of the 1980 eruption of Mt. St. Helens.

**SUMMARY:**

The Washington State Board on Geographic Names is created, to be composed of:

The State Librarian or a representative; the Commissioner of Public Lands or a representative, who shall be Chairman; the Chairperson of the Washington State Heritage Council (created by ESHB 81 of 1983); and four public members to be appointed by the Commissioner of Public Lands. Public members will serve staggered three-year terms.

The powers of the Board include:

- Establishing official names and spellings for lakes, mountains, streams, places, towns and other geographic features in the state unless the name is specified by law. Man-made features or administrative areas such as parks, game reserves and dams are excluded, except for man-made lakes;
- Assigning place names where no single generally accepted name has been used;
- Cooperating with county commissioners, state agencies and the U.S. Board on Geographic Names to eliminate duplication of place names;
- Serving as a state liaison with the U.S. Board; and
- Periodically issuing a list of approved names.

The Board is authorized to establish policies to carry out its purposes. Provision for paying members' expenses conforms to the standard statutory rates for lodging and travel. Adoption of names may only take place after consideration at a previous meeting. All Board determinations shall be filed with the Code Reviser and shall be compiled and indexed in the same manner as agency rules, but none shall be considered a "rule" under the definition in the Administrative Procedure Act.

The Board shall hold at least two meetings a year, on call by the Chairman or by a majority of members. The Board shall establish rules for conducting its business, and the Department of Natural Resources shall furnish secretarial and administrative services for the Board.

Members other than public employees shall receive statutory mileage and lodging expenses, either from their parent agency or the Department of Natural Resources.

A person shall not attempt to change local usage or name unnamed places in any advertisement or publication.

VOTES ON FINAL PASSAGE:

Senate	34	8	
House	65	31	(House amended)
Senate	40	3	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3846**

C 274 L 83

By Senators Talmadge, Warnke and Vognild

Providing for the redemption of vehicles impounded by cities and towns.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

A recent U.S. District Court decision found that Washington State's private impoundment statutes do not provide due process with respect to timely notice and hearings before an unauthorized or abandoned vehicle may be sold.

Vehicles impounded at the request of private parties may now be redeemed by paying towing and storage charges by credit cards or checks drawn on in-state banks. However, the ordinances of a number of cities and towns in the state presently require that a vehicle impounded by the police may be redeemed only after the towing and storage fees have been fully paid for in cash.

SUMMARY:

All vehicles towed from private property, whether abandoned or not, and including abandoned junk motor vehicles and abandoned hulks, are subject to the same requirement for written notice of statutory procedures for redemption and right to a hearing prior to sale.

After removing a vehicle from private property, the towing firm must notify the law enforcement agency with jurisdiction over the place of impoundment of the impound, including a complete identification of the vehicle. This notification is to include an immediate radio or telephone call and a written notice to the law enforcement agency within 24 hours.

When any vehicle remains unclaimed after 24 hours, the towing firm must, using certified mail, notify the registered and legal owners of the vehicle by the end of the next business day: (1) where the vehicle is located and the 24 hour phone number where arrangements for redemption of the vehicle may be made, (2) what estimated costs for towing and storage are, (3) what procedures for redemption apply and of the right to a hearing to contest the impoundment and charges, and (4) that the vehicle will be sold at public auction if not reclaimed within 15 days of mailing.

Persons redeeming vehicles impounded from private property must be given a written notice of right of redemption and opportunity for a hearing, accompanied by a form to be used for requesting the hearing, and a copy of the towing and storage receipt.

All vehicles impounded from private property may be redeemed under current law permitting payment in cash, personal checks drawn on in-state banks with proper identification and valid credit cards. If a hearing is requested, a vehicle may be redeemed pending the outcome by posting with the registered disposer, to be held in trust, a bond sufficient to cover accrued towing and storage charges.

A request for hearing is timely only if filed with the District Court for the jurisdiction in which the vehicle was impounded within ten days of the date the notification of impoundment was mailed or delivered to the registered and legal owners.

Within five days of receiving the request for a hearing, the Court shall notify the registered disposer and the registered and legal owners in writing of the hearing date and time. The District Court will proceed to determine whether the impoundment was proper and whether towing and storage fees shall be assessed. If the party requesting the hearing does not prevail, the towing and storage costs become due and payable and the expenses of the hearing will be assessed against the owner. If the impoundment is found invalid, the owner shall bear no costs for the impoundment or storage charges and any bond or other security shall be released or discharged.

Legal and registered owners must both receive notice and are entitled to a hearing regarding private and police impoundments.

Vehicles impounded by order of a county, city or town shall be redeemed only by the registered

owner or authorized agent upon evidence of proof of ownership. The towing contractor must accept cash, major bank credit cards, certified bank drafts, money orders, and personal checks drawn on in-state banks. Acceptance of the check may be refused if the contractor has reasonable cause to believe the tendered check is uncollectible under standards adopted by the county, city or town. If a check is dishonored, the drawer of the check shall be liable to the towing firm for damages equalling twice the towing charges, plus costs and reasonable attorneys fees.

The county, city or town may authorize the release of a vehicle prior to payment of the towing or impoundment fees if the owner requests a hearing as to the propriety of the impoundment.

VOTES ON FINAL PASSAGE:

Senate	44	0	
House	96	0	(House amended)
Senate	44	1	(Senate concurred)

EFFECTIVE: May 17, 1983

**SSB 3856**

C 4 L 83 E1

By Committee on Judiciary (Originally sponsored by Senator Talmadge)

Changing provisions relating to criminal law.

Senate Committee on Judiciary

House Committee on Judiciary

BACKGROUND:

There is no specific penalty for tampering with an aircraft.

A discount in penalty exists for bail jumping; jumping bail is punished one class lower than the offense "bailed from."

Several statutes cover illicit drug activity. There is some question as to which statute should be used to prosecute certain activities in imitation drugs and a concern that procedural technicalities preclude prosecution of some prohibited acts.

Threatening to kill someone unless he or she provides sexual favors is currently punished as coercion, a gross misdemeanor. The anomaly is that

threatening to kill someone unless he or she provides accounting or a taxi ride or other professional services is extortion, a class B felony.

SUMMARY:

The statutory definition of malicious mischief in the first degree is expanded to include damaging or tampering with aircraft. Bail jumping is a felony offense when the underlying cause is a felony.

Jurisdictional questions raised by similar prohibitions in the Imitation Drug Chapter and the Prescription Drug-Legend Drug Chapter are resolved.

The statutory definition of property or services subject to extortion is modified to include sexual favors.

VOTES ON FINAL PASSAGE:

<u>Regular Session</u>			
Senate	48	0	
House	94	0	(House amended)
Senate			(Senate refused to concur)
<u>First Special Session</u>			
Senate	43	0	
House	92	3	

EFFECTIVE: August 23, 1983

**SB 3857**

PARTIAL VETO

C 238 L 83

By Senator Talmadge

Exempting used cars sold by a dealer from emission control testing.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

Since January 1982, in an attempt to meet clean air standards, motor vehicle owners residing in nonattainment areas (now only the Seattle-Bellevue metropolitan area) are subject to the state's auto emission inspection and maintenance (I&M) program. A license for a vehicle in these areas cannot be issued or renewed unless the

vehicle passes the I&M test or more than \$50 has been spent by the vehicle owner on repairs to bring the vehicle into compliance. Vehicles exempt from the test include new vehicles, motor vehicles 15 years of age or older, electric motor vehicles, motor driven cycles, diesel powered vehicles, farm vehicles and vehicles exempted by the Department of Ecology.

Neither the Department of Licensing (DOL) or its agents may issue or renew a motor vehicle license for any vehicle registered in a nonattainment area unless the application is accompanied by an inspection certificate of compliance or acceptance.

If a dealer sells a vehicle registered within a nonattainment area with valid license tabs, no I&M certificate is required. If the tabs have expired, the dealer, the buyer, or some other party must have the vehicle certified before DOL can issue or renew the license. Although the dealer is not required to have the vehicles inspected, WAC rules require the dealer to title and register the vehicle on the buyer's behalf. The vehicle license cannot be used or renewed in a nonattainment area unless a certificate of compliance accompanies the license application. The dealer has two options for inspection: (1) The dealer takes responsibility for inspection, obtains a certificate and takes both the certificate and license application to a licensing agent. (2) An agreement is made between the dealer and buyer that the buyer will be responsible for obtaining the I&M certificate. The dealer issues a temporary license, and when the buyer returns with the certificate, the dealer completes the licensing process.

SUMMARY:

Used vehicles offered for sale by a licensed motor vehicle dealer are exempted from the emission control testing procedure. A vehicle with expired tabs sold by a licensed motor vehicle dealer is exempt from the I&M program during the first registration period. Upon subsequent renewal, compliance with the I&M program is the vehicle owner's responsibility.

Vehicles fueled by propane, natural gas and liquid petroleum gas are exempt from emission testing.

RCW 70.120.090, authorizing the Department of Ecology to allow motor vehicle dealers to self-inspect used motor vehicles, is repealed.

Revenue: Propane powered vehicles and used vehicles offered for sale by dealers are exempted from emission testing. The state general fund receives a portion of the charge for each test conducted.

VOTES ON FINAL PASSAGE:

Senate	44	2	
House	80	15	(House amended)
Senate	45	1	(Senate concurred)

EFFECTIVE: May 17, 1983

PARTIAL VETO SUMMARY:

The Governor vetoed a subsection of the bill exempting propane powered vehicles from emission test requirements. An exemption for these vehicles is contained in Chapter 237, Laws of 1983. (See VETO MESSAGE)

**SB 3858**

C 68 L 83 E1

By Senators Barr, Thompson, Zimmerman, Bauer and Deccio

Authorizing the annexation of areas outside cities and towns upon consent of the property owners.

Senate Committee on Local Government

House Committee on Local Government

BACKGROUND:

The council of a second or third class city or town may by a majority vote annex new territory outside the city or town limits for municipal purposes when the territory is owned by the city or town.

There is no provision in statute for a city or town to annex territory when all the real property owners in the territory give their written consent to the annexation.

SUMMARY:

The council of a second or third class city or town may by a majority vote annex new territory outside the city or town limits for municipal purposes when all of the real property owners in the territory give their written consent.

VOTES ON FINAL PASSAGE:

Regular Session

Senate	42	0	
House	79	17	(House amended)
Senate			(Senate asked House to recede)

First Special Session

Senate	43	0	
House	72	23	(House amended)
Senate			(Senate asked House to recede)

Free Conference Committee

House	57	38	
Senate			(Senate refused to adopt free conference committee report)

Conference Committee

House	92	4	
Senate	45	0	

EFFECTIVE: August 23, 1983

**SSB 3864**

C 73 L 83 E1

By Committee on Agriculture (Originally sponsored by Senator Hansen)

Authorizing increased assessments on soft fruits.

Senate Committee on Agriculture

House Committee on Agriculture

BACKGROUND:

The Washington State Fruit Commission in its winter meeting adopted a recommendation that the maximum assessment rates on certain fruits be increased statutorily, so if it became necessary to increase them at a time the Legislature was not in session, steps could be taken to do so.

Additional funds are needed for horticultural inspections, primarily to hire technicians, including a nematologist, and a new advisory committee, in addition to the Tree Fruit Certification Committee, to advise the director on nursery matters.

SUMMARY:

The statutorily allowable assessments by the Washington State Fruit Commission for pears is

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**SSB 3864**

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raised from \$9 to \$14 per ton, and for peaches, prunes, and apricots from \$6 to \$12 per ton.

License fees for dealers in horticultural products are increased from \$25 to \$100. Assessments for fruit trees are due on July 1 each year. The Advisory Committee on Tree Fruit is changed to five tree fruit nurserymen and a new advisory committee is formed containing members of the Floricultural Association, Washington State Bulb Association, and Nursery Associations. Court procedures are created to enforce license violations.

The licensing requirements for nursery dealers is eliminated for each place of business with less than \$500 annual sales, or for garden clubs, or charitable nonprofit associations.

**VOTES ON FINAL PASSAGE:**Regular Session

Senate 37 0

First Special Session

Senate 42 5

House 97 0 (House amended)

Senate (Senate concurred in part)

Conference Committee

House 90 0

Senate 40 4

EFFECTIVE: August 23, 1983

**SSB 3880**

C 275 L 83

By Committee on Education (Originally sponsored by Senator Gaspard)

Continuing the sick leave buy back program for school employees.

Senate Committee on Education

House Committee on Labor

**BACKGROUND:**

In 1980, the Legislature passed a law requiring school districts to provide attendance incentive programs for their eligible employees. Employees could annually "buy back" unused sick leave from the previous year, if such unused sick leave was in excess of a 60 day base which had to be maintained. Upon retirement, eligible employees

could "buy back" all accumulated sick leave, including the 60 day base. Any "buy back" of unused sick leave, in all cases, was on the basis of one day's pay for every four days of unused sick leave accumulated. This mandatory attendance incentive program was declared unconstitutional by the Thurston County Superior Court, in March 1983, on grounds relating to the bill title upon which the program became law. New legislation is required to continue the program.

**SUMMARY:**

The boards of directors of school districts are authorized to establish attendance incentive programs for their certificated and noncertificated employees. School districts electing to establish such programs are required to do so under a collective bargaining agreement and such programs must provide for "buy back" of unused sick leave annually and at retirement.

Employees may accumulate no more than 12 days per year of unused sick leave, and may annually "buy back" unused sick leave from the immediate past year, if such leave is in excess of a 60 day base which must be maintained. Upon retirement, eligible employees shall be remunerated for all accumulated unused sick leave.

Any "buy back" of unused sick leave, in all cases, must be on the basis of one day's pay for every four days of unused sick leave accumulated.

Employees are prohibited from taking more than 180 days sick leave in one year and may accumulate no more than 180 days for the purpose of "buy back."

Provisions of the act are retroactive to June 12, 1980, and insure that persons retiring during the 1982-83 school year may "buy back" their accumulated unused sick leave.

Extends to classified employees, as well as certificated employees, the ability to retain their seniority, leave benefits, and other benefits when transferring employment between school districts within the state.

**VOTES ON FINAL PASSAGE:**

Senate 37 12

House 77 21 (House amended)

Senate 36 9 (Senate concurred)

EFFECTIVE: July 24, 1983

**SB 3909**

PARTIAL VETO

C 3 L 83 E2

By Senator McDermott

Relating to revenue and taxation.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

To meet the expenses of the 1983-85 biennium operating budget, additional revenues need to be raised.

**SUMMARY:**

The B&O tax on services is increased from 1.0 percent to 1.5 percent. The B&O surcharge on businesses (except services and retailers) is set at 10 percent. The B&O surcharge on retailers (except "border county" retailers) is set at 7 percent. The B&O surcharge on border county retailers is set at 32 percent. The basic excise tax surcharge is set at 7 percent (except insurance premiums at 4 percent, liquor at 14 percent, and cigarettes at 15 percent). The sales tax is extended to telephone services. The timber excise tax is extended at 6.5 percent for one year (6/30/84). The aircraft excise tax is increased. The boat tax is changed to an annual registration fee of \$6 plus one-half of 1 percent annual excise tax on value. The special B&O tax rate for aluminum companies is repealed. Tax exemptions are to be studied on a biennial basis.

Appropriation: \$79,000 (for the Department of Parks and Recreation).

Revenue: Various taxes on various activities are increased.

**VOTES ON FINAL PASSAGE:**

First Special Session

Senate	25	14	
House	50	48	(House amended)

Second Special Session

Senate	26	22	
House	51	43	(House amended)
Senate			(Senate concurred in part)
House			(House refused to recede)
Senate			(Senate insisted on position)
House			(House insisted on position)
Senate	25	16	(Senate concurred)

EFFECTIVE: July 1, 1983 (with exceptions)

**PARTIAL VETO SUMMARY:**

The subsection requiring (1) all motorized vessels and (2) all other vessels over 16 feet to register and pay the excise tax was vetoed. The result is that (1) all vessels (including motorized) under 16 feet and (2) those vessels 16 feet or over whose primary propulsion is human power are exempt from state registration and excise taxes. Two other minor provisions (subsections 49(3) and 53(1)) were also vetoed. (See VETO MESSAGE)

**SB 3991**

FULL VETO

By Senators Conner, Peterson and Bottiger

Establishing procedures for reducing and ending tolls on the Hood Canal Bridge.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

Motorists using the Hood Canal Bridge, when it was opened in 1961, originally paid \$1.30 per car and driver plus 30 cents per passenger. In 1974, the toll was revised to \$1.50 per car. This toll continued until February 13, 1979, when the Hood Canal Bridge sunk during a severe storm.

At its September 1982 meeting, the Transportation Commission adopted a \$2.50 basic toll with discounts for frequent users and others. This higher toll is expected to generate substantially more revenue than the actual cost of debt service on outstanding revenue bonds issued to finance the original construction of the bridge plus maintenance and operations costs. Surplus toll revenues from the bridge are used to pay operating costs of the Washington State Ferry System.



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**SB 3991**

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**SUMMARY:**

The Department of Transportation is directed to reduce the Hood Canal Bridge basic toll to \$2 per car, pickup, van or motor home, and to \$1.60 for purchasers of frequent user and senior citizen ticket books. Tolls are eliminated when the 1963 Ferry and Hood Canal Bridge Refunding Revenue Bond Covenants and other statutory requirements are satisfied.

**VOTES ON FINAL PASSAGE:**

Senate 27 20  
House 69 28

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

**SB 3993**

C 53 L 83

By Senators Lee, Shinpoch, Gaspard and Deccio  
(By Joint Administrative Rules Review Committee Request)

Revising terms of members of the joint administrative rules review committee and insuring the vacancies are filled within a reasonable time.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

When the Joint Administrative Rules Review Committee was created in 1981, members' terms were set to extend until the convening of the next regular session in an odd-numbered year. The statute also required that any vacancy be filled as soon as possible.

An unanticipated result has been a question as to whether the Committee could function legally until new members are appointed. Specifying more clearly how vacancies will be filled could provide still further continuity.

**SUMMARY:**

Members of the Joint Administrative Rules Review Committee shall serve until their successors are appointed and qualified at the next regular session in an odd-numbered year.

A vacancy on the Committee shall be filled by appointment of a legislator by the appropriate appointing authority within 30 days of the vacancy occurring.

**VOTES ON FINAL PASSAGE:**

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

**EFFECTIVE:** July 24, 1983

**SSB 4007**

C 69 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senator McDermott)

Modifying the refunding bond act.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

The Refunding Bond Act allows refunding of bond principal in amounts which exceed the amount of original principal in order to save money by obtaining lower interest rates. All types of bonds are included in the act (RCW 39.53.050) except for voter approved general obligation bonds.

**SUMMARY:**

Voter approved general obligation bonds may be refunded in excess of the principal amount. The excess amount must be deemed to be a reasonable amount to effect the refund.

Revenue: For example, the law change would save from \$1.2 to \$2 million on bonds issued by the state for Referendum 26 which were issued at an interest rate of 13.34 percent. The rate as of April 13, 1983 is 8.01 percent. Other bonds are outstanding and the state and local governments could also benefit.

**VOTES ON FINAL PASSAGE:**

First Special Session  
Senate 46 1  
House 87 0 (House amended)  
Senate 44 1 (Senate concurred)

EFFECTIVE: June 13, 1983

**SB 4021**

C 85 L 83

By Senator Moore (By Insurance Commissioner Request)

By Senator Moore

Modifying provisions on annual statements required of insurance companies.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

BACKGROUND:

Currently, the Insurance Commissioner is required to furnish annual statement forms in duplicate in November and December to each authorized insurer.

SUMMARY:

The requirement of the Commissioner providing the annual statement forms is eliminated.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	95	0

EFFECTIVE: July 24, 1983

**SSB 4022**

C 36 L 83

By Committee on Financial Institutions (Originally sponsored by Senator Moore) (By Insurance Commissioner Request)

Providing for the determination of jurisdiction of providers of health care benefits.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

BACKGROUND:

Congress passed legislation which gives to the states authority to regulate insured or uninsured multiple employer trusts which provide for health care benefits. This is to fill a regulatory gap of uninsured multiple employer trusts who claimed to be exempt from state regulation and subject to federal regulation under the Employee Retirement Income Security Act (ERISA).

SUMMARY:

The Insurance Commissioner is provided authority to regulate and examine providers of health care coverage, under applicable provisions of the Insurance Code, who are not subject to another state agency or federal jurisdiction.

Any administrator of a health plan under this act not fully insured or covered by an agreement of a health care service contractor or health maintenance organization must advise all purchasers and covered persons of the lack of insurance or agreement.

VOTES ON FINAL PASSAGE:

Senate	40	0
House	96	0

EFFECTIVE: July 24, 1983

**SSB 4034**

PARTIAL VETO

C 114 L 83

By Committee on Transportation (Originally sponsored by Senator Peterson)

Prohibiting deceptive gasoline pricing methods.

Senate Committee on Transportation

House Committee on Transportation

BACKGROUND:

Existing state laws prohibiting false, deceptive or misleading advertising are not explicit enough to effectively forbid certain deceptive advertising practices by gasoline dealers.

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**SSB 4034**

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**SUMMARY:**

It is an unlawful deceptive advertising practice for a gasoline dealer or service station to advertise fuel at a price per unit which is expressed in a different unit of measurement from that used by the fuel pump dispensing the fuel, unless the price is advertised in both units of measurement in the same fashion.

Similarly, it is an unlawful advertising practice if fuel is advertised at a price which is conditioned upon purchase of another product, unless the conditional language, description and price of the other product are clearly expressed in the advertisement, using characters at least one-half the height of the characters used to advertise the fuel price.

Violation of these prohibited practices is a misdemeanor and the Attorney General or county prosecuting attorney may obtain a restraining order or accept written assurance that the practice will be discontinued. Continuation of the prohibited practice in violation of a restraining order or after giving written assurance may be punished by a fine up to \$5,000 or imprisonment for 90 days or both.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	93	0

**EFFECTIVE:** July 24, 1983**PARTIAL VETO SUMMARY:**

The Governor vetoed Section 2, the emergency clause, which would have made the act effective immediately. (See VETO MESSAGE)

**SSB 4059**FULL VETO

By Committee on Ways and Means (Originally sponsored by Senator McDermott)

Revising provisions relating to the central stores revolving fund.

Senate Committee on Ways and Means

House Committee on Ways and Means

**BACKGROUND:**

Telecommunications activities are funded out of the central stores revolving fund. The revolving fund is not subject to legislative appropriation. Current law provides that the telecommunications activity within the fund shall be treated as a separate operating entity for financial and accounting control. The telecommunications budget is broken into two types of expenditures: cost of sales and administration. Cost of sales includes the purchase of telecommunications-related goods and services which are, in turn, sold to other entities. Administration costs include staffing, personal services contracts, and other related administrative expenditures.

**SUMMARY:**

All administrative expenditures relating to telecommunications activity in the central stores revolving fund shall be subject to legislative appropriation.

The Department of General Administration must obtain approval from the Director of Financial Management prior to soliciting any bids for contracts for telecommunications services or equipment in excess of \$20,000. In those instances where purchases are outside of the formal bid process because of the sole source exemption, no purchases for telecommunications services or equipment in excess of \$20,000 shall be made without prior approval of the Director of Financial Management. Upon approval, the Director of the Office of Financial Management shall notify the Chairman of the Ways and Means Committees of the Senate and House of Representatives and the members of the Legislative Budget Committee.

The Director's approval shall be based upon, but not limited to, the following factors: the level and nature of the proposed expenditure, the need for the expenditure to promote the efficient performance of the department's statutory responsibilities, and the impact of the expenditure upon other current and/or future obligations of the state.

The Director of the Office of Financial Management is instructed to determine the amount of money in the central stores revolving fund that is not necessary for the continuing operations of the fund at the end of each fiscal biennium. Upon notification by the Director of Financial Management, the Director of General Administration shall transmit the monies to the Treasurer for deposit in the general fund. The transmittal shall not include

unexpended federal monies paid into the central stores revolving fund.

Appropriation: An appropriation is made from the central stores revolving fund to the Department of General Administration for administrative costs of the telecommunications division for the 1983-85 biennium in the sum of \$8,574,919.

VOTES ON FINAL PASSAGE:

First Special Session

Senate	46	0	
House	86	1	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: FULL VETO  
(See VETO MESSAGE)

**SSB 4066**

C 227 L 83

By Committee on Financial Institutions (Originally sponsored by Senator Moore)

Revising certain powers and duties of consumer finance companies.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

BACKGROUND:

Currently consumer finance companies are not allowed recovery of costs arising from litigation or recovery of security. In addition, the companies may not charge for handling NSF or no account checks. Receipt at time of payment is required with no periodic statement provisions.

SUMMARY:

Reasonable actual costs are allowed in remedial action on security. Language is modified to be consistent with Regulation Z under Truth in Lending Simplification and Reform Act (P.L. 96-221).

A periodic statement must be rendered at least once every 45 days.

A receipt is required for any cash payment made on a loan.

A copy of RCW 31.08.160 is to be given to a borrower at the time of a loan.

A copy of the borrower's statement of financial condition which requires disclosure of penalties shall be provided to the borrower.

Rule Making Authority: The Supervisor of Banking is given authority to establish a charge for NSF and no account checks.

VOTES ON FINAL PASSAGE:

Senate	45	0	
House	89	6	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 4082**

C 276 L 83

By Senators Granlund, Deccio, Barr and Lee

Revising provisions relating to prisoners.

Senate Committee on Institutions

House Committee on Social and Health Services

BACKGROUND:

Under current statute a jail sentence may be reduced by up to five days a month for "good time" behavior.

Current law also provides that inmates who are five days late in paying court-ordered fines are imprisoned. Those inmates may have their debt reduced by \$10 a day if they work or \$8 a day if they do not work.

Counties feel that if judges may make greater "good time" reductions in sentences and if jail time could reduce fines at a faster rate, the potential for jail overcrowding would be reduced and might result in savings.

SUMMARY:

Jail sentences may be reduced ten days a month by judges for good behavior.

Inmates who are confined in jail for nonpayment of court-ordered fines will have such fines reduced by \$35 a day if they work and \$25 a day if they do not work while in prison.

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**SB 4082**

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## VOTES ON FINAL PASSAGE:

Senate	39	3	
House	92	4	(House amended)
Senate	45	2	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 4088**

C 159 L 83

By Senator Williams

Continuing the archaeological research center for an additional six years.

Senate Committee on State Government

House Committee on State Government

## BACKGROUND:

The Washington Archaeological Research Center located at Washington State University is responsible for maintaining a complete inventory of archaeological sites and collections; providing information on archaeological sites for their nomination to the state and national registers of historic places; providing information regarding the possible impact of construction activities on the state's archaeological resources; and the discovery, identification, excavation, and study of the state's archaeological resources.

The Center recently underwent a sunset audit and will expire on June 30, 1983, unless extended by law.

## SUMMARY:

The Washington Archaeological Research Center is extended indefinitely.

## VOTES ON FINAL PASSAGE:

Senate	47	0	
House	98	0	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: May 5, 1983

**SSB 4092**FULL VETO

By Committee on Financial Institutions (Originally sponsored by Senators Bender, Williams, Wojahn and Thompson)

Establishing new reporting requirements for property and casualty insurers.

Senate Committee on Financial Institutions

House Committee on Financial Institutions and Insurance

## BACKGROUND:

Currently each insurer authorized by the Insurance Commissioner to do business in the state of Washington must furnish the Commissioner with an annual statement of its financial condition, transactions, and affairs. Statements must be on forms prepared by the Commissioner. Losses "incurred but not reported" need not be specified in detail in the statement.

## SUMMARY:

A joint select committee appointed by the President of the Senate and the Speaker of the House of Representatives is established to study the collection of loss and expense data by insurance companies, which includes premiums earned and written, reserves, and losses incurred but not reported.

## VOTES ON FINAL PASSAGE:

Senate	45	2	
House	50	44	(House amended)
Senate	45	1	(Senate concurred)

EFFECTIVE: FULL VETO  
(See VETO MESSAGE)

**SSB 4101**

C 228 L 83

By Committee on Ways and Means (Originally sponsored by Senators Shinpoch, McDermott, Newhouse and Deccio)

Revising provisions relating to disposition of proceeds from parimutuel machines.

## Senate Committee on Ways and Means

House Committee on Commerce and Economic  
Development

## BACKGROUND:

SSB 4708, Chapter 33, Laws of 82, amended the percentage portion of the daily handle (gross receipts) to be distributed to the state in non-exotic races. The same act did not amend the percentage portion of the daily handle to be retained by the race meet.

## SUMMARY:

The percentage portion of the daily handle that may be retained by the race meet is changed in the following manner:

- (a) 11 percent of the daily handle when receipts are from \$400,001 to \$500,000;
- (b) 11-1/2 percent of the daily handle when receipts are from \$300,001 to \$400,000;
- (c) 12 percent of the daily handle when receipts are from \$250,001 to \$300,000;
- (d) 13 percent of the daily handle when receipts are from \$200,000 to \$250,000;
- (d) 14 percent of the daily handle when receipts are less than \$200,000.

Of the amounts that may be retained by the race meet, at least 1/2 of 1 percent shall be used to support the purse structure of the race meet. An additional 1/2 of 1 percent shall be used for maintenance of the running surface, parking areas, and training and barn facilities. Any portion of the percentage for maintenance that is not needed for such purposes may be used to support the purse structure.

## VOTES ON FINAL PASSAGE:

Senate	46	1	
House	92	2	(House amended)
Senate	36	3	(Senate concurred)

EFFECTIVE: July 24, 1983

## 2SSB 4102

C 74 L 83 E1

By Committee on Ways and Means (Originally sponsored by Senator Gaspard)

Providing tuition incentives for students studying to be math and science teachers.

Senate Committee on Education

Senate Committee on Ways and Means

House Committee on Ways and Means

## BACKGROUND:

Recent studies have shown that there is a significant lack of science and mathematics teachers at public schools presently, and this lack of science and mathematics teachers may become more exacerbated in the near future. In a time of advancing technology, where early exposure and continued upgrading in basic science and mathematics skills is critical for the students in our public schools, it is paramount that an adequate supply of competent and effective teachers in these fields is maintained.

## SUMMARY:

A long-term loan program is established for college students in this state with declared majors in programs leading to a degree in teacher education in a field of science or mathematics. The Council for Postsecondary Education will administer and operate the program. The Council may make long-term loans to eligible students from funds appropriated to the Council for this purpose. The terms and interest rates of these loans will be consistent with the federal guaranteed student loan program.

The pay-back period for the loans is 10 years, payments accruing quarterly, with the first payment becoming due nine months after the graduation of the borrower. However, the entire principal and interest of each loan payment will be forgiven for each payment period in which the borrower teaches mathematics or science in a public school in this state. Should the borrower cease to teach either of those subjects at a public school before the time in which the loan is paid in full, the payments on the unpaid portion of the loan will begin the next payment period and continue until the loan is satisfied.

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**2SSB 4102**

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The Council is responsible for the collection, servicing and forgiveness of the loans. Any collection of these loans will be performed by entities approved by the Washington Student Loan Guarantee Association.

Receipts from the payment of loans will be deposited with the Council and will be used to cover the costs of the program. Any receipts beyond those used to cover program costs will be used to make loans.

The Council and the institutions of higher education are to work cooperatively to publicize and promote this program.

Appropriation: \$500,000 to the Council for Postsecondary Education, or however much thereof as may be necessary to carry out the purposes of this act. No more than \$50,000 is to be used by the Council to cover administrative costs.

Rule Making Authority: The Council for Postsecondary Education will adopt necessary rules to implement this act.

Termination Date: No loans shall be made after six years of the effective date of this act until the program is reviewed by the Legislative Budget Committee and is reenacted by the Legislature.

**VOTES ON FINAL PASSAGE:**First Special Session

Senate	39	5	
House	92	5	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: August 23, 1983

**SB 4103**

C 229 L 83

By Senators Bauer, Kiskaddon and Bender

Revising the requirements for teachers contact hours.

Senate Committee on Education

House Committee on Education

**BACKGROUND:**

Under current law, each school district must comply with specified basic education requirements as a condition of receiving its basic education

allocation of funds. One such requirement mandates teacher contact hours which average at least 25 hours per week. Local school boards have the discretion to allow deduction of up to 200 minutes per week from the 25 contact hour requirement to allow for teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity.

Periodic compliance audits are undertaken by the State Board of Education to ensure compliance with the basic education requirements. To monitor teacher contact hours, elaborate record-keeping requirements are imposed upon districts and individual teachers.

**SUMMARY:**

Rules adopted by the State Board of Education, to monitor compliance with the mandatory teacher contact hour requirement, must be based upon teachers' normally assigned weekly instructional schedules with no other record-keeping required of teachers.

**VOTES ON FINAL PASSAGE:**

Senate	47	1	
House	90	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 24, 1983

**SSB 4107**

C 277 L 83

By Committee on Parks and Ecology (Originally sponsored by Senators Moore, Jones, Bottiger, Rasmussen and Guess)

Revising procedures and penalties under the model litter control and recycling act.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

**BACKGROUND:**

In 1971, the Washington State Legislature passed the Model Litter Control Act finding that the proliferation and accumulation of litter discarded throughout the state impaired "the fundamental need for a healthful, clean and beautiful environment." The statute was revised in 1979 to include

more emphasis on recycling and was renamed the Model Litter Control and Recycling Act.

While the Act has worked well, many people believe some changes are needed. Local governmental agencies often collect litter fines but receive no portion of the funds. Also, litter fines have not been raised since 1972.

#### SUMMARY:

Penalties are raised to not more than \$50 for each violation. One-half of the amount of fines collected, under the enforcement provisions, by a local government agency shall be distributed to that local governmental agency.

#### VOTES ON FINAL PASSAGE:

Senate	39	0
House	94	0

EFFECTIVE: July 24, 1983

## SB 4112

C 278 L 83

By Senators Peterson, Patterson and Hansen

Bringing vehicle size and load restrictions into conformity with federal standards.

Senate Committee on Transportation

House Committee on Transportation

#### BACKGROUND:

Apart from increasing federal highway taxes and increasing federal highway funding, the Federal Highway Improvement Act of 1982 (HR 6211) pre-empts states' abilities to limit weight, length and width on certain commercial vehicles below those standards stated in the Act. HR 6211 sets forth two general conditions that must not be present in any state regulatory scheme.

- (1) "Overall length" limitations (e.g., "bumper to bumper") on tractor/semitrailer combinations or tractor/dual trailer combinations;
- (2) Regulations which would prohibit trailers or semitrailers lawfully and actually in use December 1, 1982.

The "overall length" issue has centered on the demand by drivers for longer tractors which

results in less cargo capacity when the combined length of the tractor and trailer is restricted. By replacing "overall length" limitations with length limitation on the trailing units only, a compromise has been achieved.

In order to be in compliance with the mandates of HR 6211, Washington's statutorily set width and length limitations regarding certain types of commercial vehicles cannot:

- (1) Limit the length of a semitrailer to less than 48 feet;
- (2) Limit the length of a trailer when used in a tractor/dual trailer combination to less than 28 feet;
- (3) Limit any commercial vehicle to a width different than 8-1/2 feet.

Excluded from these federal restrictions are various devices, such as mud flaps, splash and spray suppressant devices, and refrigeration units.

These standards must be in place by October 1983. Only the changes above need to be made in Washington law; this state's current maximum weight limitations comply with the minimum requirements found in HR 6211.

#### SUMMARY:

Width and length limitations which are imposed upon certain commercial vehicles are changed to conform with standards set forth in the Federal Highway Improvement Act of 1982.

The maximum allowable outside width limitation is increased from 8 feet to 8-1/2 feet with regard to all tractor/trailer units. Not calculated in the limitation are current exclusions for outside mirrors (provided that they do not extend beyond five inches from the extreme limits of the body) and clearance lights and flexible fender extensions (provided they do not extend beyond two inches).

The maximum length of the semitrailer unit in tractor/semitrailer combinations is increased from 45 feet to 48 feet. Dual trailer units consisting of a tractor and two trailers are permitted in which the maximum combined length of the trailers is 59 feet, instead of the former limit on the overall maximum length of a combination of vehicles to 65 feet with special permits to allow 75 feet.

Changes with respect to authorization for fees for oversize or overweight, one-year permits subject to maximum dimensions are as follows:



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**SB 4112**

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- (1) One trailing unit in excess of 48 feet but no more than 56 feet: \$100;
- (2) Dual trailing units exceeding a total of 59 feet but no more than 68 feet: \$100;
- (3) Truck and trailer not exceeding 75 feet (with trailer not in excess of 48 feet): \$60.

Language with respect to permits which may be issued for overwidth vehicles is stricken.

Revenue: The lawful width of truck combinations and the length of truck trailers are increased, thereby reducing or eliminating revenue from special permits to operate oversize vehicles.

**VOTES ON FINAL PASSAGE:**

Senate	48	0	
House	96	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: May 17, 1983

**SSB 4135**

C 279 L 83

By Committee on Institutions (Originally sponsored by Senator Granlund)

Authorizing the secretary of corrections to reimburse local governments from the institutional impact account.

Senate Committee on Institutions

House Committee on Social and Health Services

**BACKGROUND:**

In 1979, an institutional impact account was created to reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by residents of an institution for the criminally insane or for sexual psychopaths or for adult or juvenile offenders. At that time, all of the named institutions were within the purview of the Department of Social and Health Services (DSHS).

In 1981, the Department of Corrections (DOC) was created and adult offenders were thus within the jurisdiction of this newly created department. The statutes regulating the institutional impact fund were amended to allow only the Secretary of Corrections to have access to this fund. The fund was

still in existence to reimburse local law enforcement officials for costs incurred as a result of crimes committed by juveniles, the criminally insane or sexual psychopaths, all of whom remain within the jurisdiction of DSHS, as well as adult offenders who are within the care and custody of DOC.

This left the Secretary of DSHS in the position of having to go to the Secretary of DOC in order to obtain funds from this account when a crime has been committed by a person who resides in a DSHS institution.

The Secretary of DSHS would like direct access to the institutional impact account.

**SUMMARY:**

The Secretary of DSHS is authorized to reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by residents of a DSHS institution for juvenile offenders or for sexual psychopaths or the criminally insane. Such reimbursement may be made to the extent funds are available in the institutional impact account.

Rule Making Authority: The act delegates new rule making authority to the Secretary of DSHS to promulgate rules regarding the reimbursement process.

**VOTES ON FINAL PASSAGE:**

Senate	49	0
House	96	0

EFFECTIVE: May 17, 1983

**SSB 4137**

C 52 L 83 E1

By Committee on Institutions (Originally sponsored by Senator Granlund)

Modifying provisions relating to adult corrections.

Senate Committee on Institutions

House Committee on Social and Health Services

**BACKGROUND:**

Current statute requires inmate property to be retained for seven years whether claimed or not.

This requirement can be costly to the Department of Corrections in terms of storage space and claims against the Department when property deteriorates after such a lengthy storage period.

The current statute defining which inmates are covered by industrial insurance is unclear.

**SUMMARY:**

All personal property, and any income accrued thereon, held for an inmate who escapes for three or more months is presumed abandoned. All such property held for an inmate terminated from a work release program or transferred to a different institution is presumed abandoned if unclaimed for six months. Property of inmates transferred to another institution must be held for an additional six months (or a total of 12 months) before being presumed abandoned.

All abandoned personal property must be destroyed, unless the Secretary of Corrections feels the property has some value to a charitable or nonprofit organization, in which case the property may be donated to such an organization.

All illegal items owned or in the possession of an inmate must be confiscated and held by the correctional institution. Those items must be held for evidence for law enforcement authorities or destroyed.

Money which is presumed abandoned must be paid into the parolee and probationer revolving fund.

Procedures are set forth requiring an inventory to be kept of all property prior to its destruction or donation and for notifying the owners of property at least 30 days prior to its donation or being destroyed.

Property shall not be destroyed if an inmate and the Department of Corrections have reached an agreement regarding the disposition of the property.

Inmates employed in classes I, II and IV of institutional industries are eligible for industrial insurance benefits. Class I is the free venture industry; Class II is the tax reduction industry and Class IV is community work industries. However, eligibility for temporary or permanent total disability benefits shall not begin until an inmate is released pursuant to an order from the Parole Board, discharged after the expiration of a sentence or discharged pursuant to a court order.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate	49	0	
House	92	0	(House amended)
Senate			(Senate concurred in part)

First Special Session

Senate	44	0	
House	93	2	
Senate			(Senate concurred in part)

Free Conference Committee

House	97	0
Senate	48	0

EFFECTIVE: August 23, 1983

**SB 4153**

C 230 L 83

By Senators Bender, Warnke and Conner

Authorizing permanently unemployable veterans to have special license plates.

Senate Committee on Transportation

House Committee on Transportation

**BACKGROUND:**

At present, the law allowing free vehicle licenses for permanently disabled veterans does not include a veteran who is discharged with a 60 percent or greater service-connected disability who at a later date is given a 100 percent disability as the result of the deterioration of the service-connected injury. Present law permitting free license plates for disabled veterans does not include those veterans discharged for reasons of disability between World War I and World War II.

**SUMMARY:**

Disabled veterans receiving an honorable discharge or a discharge for physical reasons with an honorable record following World War I and prior to World War II are eligible for free license plates.

The ending date for veterans' benefits under the "Viet Nam Era" is May 7, 1975.

Before a distinguishing license plate shall be issued by the Director of the Department of Licensing (DOL) without the payment of license fees or

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**SB 4153**

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excise fees, satisfactory proof must be submitted that the veteran has a service-connected disability rating from the Veterans Administration for:

- (1) having lost both hands or one foot,
- (2) being a POW and incarcerated for more than 29 days,
- (3) being blind in both eyes as a result of military service,
- (4) receiving service-connected compensation at the 100 percent rate that is expected to last for more than one year.

The DOL may periodically verify the 100 percent rating. Persons issued free vehicle licenses prior to July 1, 1983, will continue to be eligible for the licensing privilege.

Code Reviser language changes are made for clarification.

**VOTES ON FINAL PASSAGE:**

Senate	48	0	
House	96	0	(House amended)
Senate	45	1	(Senate concurred)

EFFECTIVE: July 24, 1983

**SB 4156**

C 280 L 83

By Senators Bender, Warnke, McManus, Owen, Rinehart and Granlund

Granting free fishing licenses to wheelchair-confined persons.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

Persons seventy years old or older who have been state residents for ten years, blind persons, persons under the age of 16 years and certain disabled veterans may receive free fishing licenses or are exempt from licensing requirements.

Allowing persons confined to wheelchairs a free fishing license may result in more fishing opportunity for handicapped persons.

**SUMMARY:**

Physically handicapped persons confined to wheelchairs may receive free fishing licenses from the Department of Game.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	95	0

EFFECTIVE: July 24, 1983

**SSB 4201**

C 137 L 83

By Committee on Parks and Ecology (Originally sponsored by Senators Williams, Fuller, Goltz, Lee and Hemstad)

Requiring that used automotive oil be recycled.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

**BACKGROUND:**

Millions of gallons of used oil are generated each year in this state. The improper disposal of used oil has an adverse effect upon the economy and the environment. Improper disposal of used oil also creates leaching problems within landfills, is a significant source of water pollution, has a detrimental impact on the fisheries industry and contributes toward the overall shortage of energy resources.

**SUMMARY:**

The Legislature declares that it is the policy of this state to collect and recycle used oil. The Director of the Department of Ecology shall conduct a public education program to inform the public of the needs for and benefits of collecting and recycling used oil. Large sellers of automotive oil must post signs informing the public of the importance of proper collection and disposal of used oil. The Director shall establish, maintain, and publicize a used oil information center. The Director shall also establish and maintain a statewide toll-free telephone number to inform callers of their closest recycling station.

Rule Making Authority: The Director of the Department of Ecology shall adopt rules requiring

sellers of more than 100 gallons of automotive oil annually, in containers for use off the premises, to post and maintain signs informing the public of the importance of proper collection and disposal of used oil.

VOTES ON FINAL PASSAGE:

Senate	37	2
House	75	23

EFFECTIVE: July 24, 1983

**SB 4204**

PARTIAL VETO

C 235 L 83

By Senators Wojahn, Zimmerman, Bauer, Haley, Deccio, Vognild, Warnke and Bender

Permitting the state board of health to exist for two additional years.

Senate Committee on State Government

House Committee on Social and Health Services

BACKGROUND:

The powers and duties of the State Board of Health were included in the 1979 sunset list of agencies and programs to be reviewed and terminated as of June 30, 1983, with related statutes to be repealed as of June 30, 1984. Reinstating the Board would continue to provide an independent focal point for state rule-making on matters relating to public health, while the issue is studied for two more years.

The state is required to follow provisions of federal law concerning health planning and "certificate of need" procedures for significant projects relating to capital expenditures on major health facilities and equipment.

SUMMARY:

The State Board of Health sunset provision is extended from June 30, 1983, to June 30, 1985, as are the provisions specifying the powers, duties and rule-making authority of the State Board of Health.

Reinstatement of the Board of Health is accomplished through repealing all of the sunset repealers.

State health planning. Legislative intent is modified as to the elements and development of the state health plan, including increased consumer involvement and health care cost containment.

The State Health Coordinating Council and the State Board of Health are each given some responsibility for developing the plan. "Regional health councils," which replace "health systems agencies," will be designated by the State Health Coordinating Council. Provisions are included to enhance the consistency between local and regional health planning needs, identification of local health problems, and state health planning policies.

Certificate of need process. Hospices and alcoholism hospitals are added to the definition of "health care facility." The certificate of need (C of N) process is modified and simplified in several respects, including transfer of C of N rule adoption from the Board to DSHS. If certain expenditures do not increase patient charges, such expenditures are exempted from the process. Thresholds for certificate of need are raised as follows: (1) the "expenditure minimum" is increased from \$600,000 to \$1 million; (2) the "institutional health services" annual operating expense minimum is increased from \$250,000 to \$500,000, and (3) the "major medical equipment" minimum is increased from \$400,000 to \$1 million. Each of the minimums may be set at a lesser amount if required by federal law.

State Board of Health. The termination date of the State Board of Health is extended from 1983 to 1985. By January 1, 1984, the Senate and House State Government Committees are directed to complete program and fiscal reviews of the State Board of Health.

An emergency clause is included to delay the termination of the State Board of Health for two years.

VOTES ON FINAL PASSAGE:

Senate	38	2	
House	69	24	(House amended)
Senate	45	1	(Senate concurred)

EFFECTIVE: July 24, 1983  
May 17, 1983 (Sections 16 and 17)

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**SB 4204**

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**PARTIAL VETO SUMMARY:**

A proviso which could be interpreted that no new health care facility could be initiated as an institutional health care facility was vetoed.

Also vetoed were portions of a section which would have given the State Board of Health some of the State Health Coordinating Council's powers with respect to development of the state health plan. (See VETO MESSAGE)

**SB 4205**

C 54 L 83

By Senators Warnke and Jones (By Secretary of State Request)

Modifying provisions relating to the productivity board.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

The Productivity Board was created last year to administer two incentive pay programs: a new state agency unit award program and a reinstated employee suggestions awards program.

As originally drafted, the law allowed only classified employees under civil service to participate in the employee suggestions award program. Exempt employees of state agencies and institutions of higher education were excluded, although they are also likely to have valuable ideas.

The State Auditor has concluded that his participation as a member of the Productivity Board could present a conflict of interest since it involves a program which his office is required to audit. The Board has also agreed that members who are also state officials should be allowed to name designees, believing that full-time attendance of a designee is preferable to sporadic participation.

The original law limited administrative expenses to \$50,000 per year, but also provided a mechanism for participating agencies to transfer 2 percent of the savings above the amount of an award to the Department of Personnel Service Fund for operations of the Board. Removing the \$50,000

limit would allow for expansion of the program if it proves successful.

**SUMMARY:**

The definition of "state employee" is revised to include all employees in agencies subject to the State Civil Service Law and the Higher Education Personnel Act. The Director of Personnel is substituted for the State Auditor as a member of the Productivity Board. The Director of Personnel and the Director of Financial Management may appoint designees to serve in their stead.

Administrative expenses of the Productivity Board may not exceed \$50,000 until June 30, 1985. After that date, such expenditures shall not exceed the revenue transferred from participating state agencies to the Department of Personnel Service Fund for operations of the Board.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	96	0

**EFFECTIVE:** April 19, 1983**SSB 4226**

C 281 L 83

By Committee on Agriculture (Originally sponsored by Senators Hansen and Barr)

Providing for sanitation programs and other programs concerning tree fruit.

Senate Committee on Agriculture

House Committee on Agriculture

**BACKGROUND:**

Currently a nine-member commission known as the Tree Fruit Research Commission has created an assessment on tree fruit for funding for research to benefit the fruit industry. In the growing areas, there are certain abandoned or infected trees which can be host trees for diseases of tree fruits. No funding is available to remove them.

**SUMMARY:**

The purposes of the Commission are expanded to include specific industry service programs for

sanitation. One of these programs is the elimination of pests, and trees and shrubs which can be host for these pests and other diseases of tree fruits.

Tree fruit producers, by referendum, are able to provide an additional assessment to create funds to carry out these programs, with the right to suspend all or part of these assessments by the Tree Fruit Research Commission.

Assessments are limited to \$100,000 per crop year and are administered by the Tree Fruit Research Commission, which is authorized to appoint such advisory committees as it desires.

#### VOTES ON FINAL PASSAGE:

Senate	42	5	
House	93	2	(House amended)
Senate	48	0	(Senate concurred)

EFFECTIVE: July 24, 1983

## SSB 4245

C 70 L 83 E1

By Committee on Parks and Ecology (Originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams)

Revising provisions relating to hazardous waste management.

Senate Committee on Parks and Ecology

House Committee on Environmental Affairs

House Committee on Ways and Means

#### BACKGROUND:

The Department of Ecology recently adopted regulations establishing a hazardous waste management program, pursuant to federal and state law. Those regulations establish a system of control and monitoring of hazardous waste from the point of generation to the point of disposal. Some have criticized the program for not placing sufficient emphasis on waste reduction and recycling.

#### SUMMARY:

It is declared that the health and welfare of the people depends on environmental resources unaffected by hazardous waste contamination, and that practices which generate the least amount of hazardous wastes should be encouraged. Methods of waste management are to have the following priority:

Waste reduction;  
Waste recycling;  
Waste treatment;  
Incineration;  
Solidification;  
Landfill.

The Department is directed to determine the appropriate management practices for categories of waste, and to promulgate rules consistent with the priorities.

Funds generated from penalties for violation of hazardous waste statutes and rules are to be used for support of these provisions.

The Department may also provide consultation and technical services to promote the waste management priorities.

Fines and penalties are to be deposited in the hazardous waste control and elimination account.

Future Obligation: Rules are to be adopted by July 1, 1987.

Appropriation: \$50,000 is appropriated from the general fund, and \$100,000 from the hazardous waste control and elimination account, to fund the required study.

#### VOTES ON FINAL PASSAGE:

Regular Session  
Senate 45 1

First Special Session  
Senate 41 0  
House 84 11 (House amended)  
Senate (Senate refused to concur)

Conference Committee  
Senate 40 8  
House 55 42

EFFECTIVE: August 23, 1983

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**SJM 106**

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**SJM 106**

By Senators Rinehart, Metcalf, Bauer, Bluechel, Bender, Clarke, Fleming, Fuller, Goltz, Hemstad, Granlund, Lee, Hughes, Hurley, McDermott, McManus, Moore, Peterson, Shinpoch, Talmadge, Thompson, Warnke, Williams, Wojahn, Woody and Conner

Calling for a mutual and verifiable freeze on nuclear weapons.

Senate Committee on State Government

House Committee on State Government

**BACKGROUND:**

In the 1982 general elections, nuclear freeze referenda appeared on the ballots of nine states. The referenda passed in Massachusetts, Michigan, Montana, New Jersey, North Dakota, Oregon, Rhode Island, and California, and lost in Arizona.

In Washington State, nuclear freeze referenda passed in the City of Medina and in Thurston County. Several county legislative authorities and city councils have adopted nuclear freeze resolutions.

**SUMMARY:**

President Reagan and Congress are requested to propose to the Soviet Union a bilateral, verifiable freeze on the testing, production, and further deployment of nuclear weapons and nuclear weapons delivery systems. The President and Congress are also asked to negotiate a permanent, international, multilateral nuclear weapons ban subject to rigid verification.

**VOTES ON FINAL PASSAGE:**

Senate	39	5
House	66	28

**SJM 110**

By Senators Zimmerman, Bauer, Benitz, Fuller, Conner, Owen, Sellar, Hansen, Hayner and Pullen

Requesting Congress to refrain from imposing further federal control over land in the Columbia River Gorge.

Senate Committee on Natural Resources

House Committee on Natural Resources

**BACKGROUND:**

The Columbia River Gorge area is the home of 41,000 residents of the states of Washington and Oregon. Legislation has been introduced in the U.S. Congress by Oregon legislators which would establish a National Scenic Area in the Columbia River Gorge. Such legislation would impose various federal controls over the area.

**SUMMARY:**

The President and Congress are petitioned to refrain from considering legislation imposing federal control over land in the Columbia River Gorge area.

**VOTES ON FINAL PASSAGE:**

Senate	36	10
House	58	26

**SJM 116**

By Senator Hansen

Petitioning Congress to declare July 16, 1983 as National Grand Coulee Dam day.

Senate Committee on Agriculture

House Committee on Agriculture

**BACKGROUND:**

Fifty years ago, as of July 16, 1983, work was commenced on the construction of the Grand Coulee Dam. Countless benefits have accrued to the state and nation since the completion of the Dam. A huge celebration is planned at the site on that day with invitations to many state and federal dignitaries.

**SUMMARY:**

The memorial petitions Congress to designate July 16, 1983, as a special day in commemoration and celebration of the construction of the Grand Coulee Dam, and provide funds for the Department of Interior for this purpose.

VOTES ON FINAL PASSAGE:

Senate	44	0	
House	94	0	(House amended)
Senate	39	0	(Senate concurred)

**SJM 118**

By Senator Goltz

Petitioning to have the matching local funds requirement for public television transmitters eliminated.

Senate Committee on Education

House Committee on Higher Education

BACKGROUND:

The pending application of KCTS/Channel 9 with the Federal Communications Commission to locate a transmitter on Mt. Constitution on Orcas Island, to allow expansion of its broadcast signal to the three county area of Whatcom, Skagit and San Juan Counties, cannot receive grant approval under current procedures without a percentage of matching funds from state and local sources. Public television is currently unavailable to over 70 percent of the households in this area and economic resources are limited.

SUMMARY:

The Washington State Legislature petitions the President and the Congress of the United States to reexamine its practice of requiring matching state and local funds for approval of a grant through the National Telecommunications and Information System at a level which makes it impossible to complete the Mt. Constitution transmitter by KCTS/Channel 9.

VOTES ON FINAL PASSAGE:

Senate	44	2
House	67	17

**SSJR 103**

By Committee on Judiciary (Originally sponsored by Senators Talmadge, Hemstad, Woody, Hughes, Gaspard, Vognild, Bender, Rinehart, Granlund and McManus)

Amending the Constitution to establish a redistricting commission.

Senate Committee on Judiciary

House Committee on Constitution, Elections and Ethics

BACKGROUND:

The Washington State Constitution requires the Legislature to redistrict the State Senate and House of Representatives after every census (Article II, Section 3). Congressional redistricting is to be accomplished after every federal census (Article XXVII, Section 13). Since 1889, the Legislature has accomplished redistricting only four times. In 1972, after the Legislature failed to adopt the redistricting plan, a federal court ordered a master's redistricting plan into effect. In 1982, a federal panel rejected the Legislature's congressional redistricting plan, ordering the preparation of a new plan prior to the 90th day of the 1983 regular session.

SUMMARY:

If approved by the voters at the 1983 general election, the State Constitution would be amended to provide for an independent commission. The Commission would be responsible for both legislative and congressional redistricting at the beginning of each decade, beginning in 1991. The bill and constitutional amendment contain the following general provisions:

COMMISSION COMPOSITION: The Commission is composed of four voting members and one non-voting member. One voting member is appointed by each of the four legislative leaders. These four members select the fifth nonvoting member, who serves as chairperson.

Elected officials are prohibited from serving on the Commission.

DISTRICT CRITERIA: Districts must be as nearly equal in population as is practicable. Consistent with the equal population criteria, districts shall be:



- a) drawn to coincide with political subdivision boundaries; and
- b) composed of convenient contiguous and compact territory.

Districts may not be drawn to purposefully favor any political party, incumbent or other person or group. The commission's plan may not provide for a number of legislative districts different than that established by the Legislature.

JUDICIAL REVIEW: The State Supreme Court is given original jurisdiction over all cases involving congressional or legislative redistricting. Further, the Court is designated to make appointments and to prepare a plan if established timelines are not met by the originally designated authority.

LEGISLATIVE REVIEW: The Legislature has limited authority to amend the Commission's plan. Following submission of the plan, the Legislature has the next thirty session days to amend the plan.

The Legislature is required to enact laws providing for the implementation of this constitutional amendment.

EFFECTIVE DATE: The plan, approved by the Commission with any legislative amendment, or pursuant to court order if the Commission fails, constitutes the redistricting law until the next plan is adopted during the next decade. The plan takes effect immediately upon passage by the Legislature, expiration of the Legislature's 30 days or upon approval by the Court if the Commission fails.

TIMELINE: The following timeline is established. (1990s are used as examples.)

January 15, 1991	First four commissioners are appointed.
January 31, 1991	Fifth member selected.
February 1, 1992	Commission must complete redistricting and submit a plan to the Legislature.
March 2, 1992	Legislature's deadline for amendment. (Thirty session days)
July 1, 1992	Commission ceases to exist.

MODIFICATION OF A REDISTRICTING PLAN: The Legislature is to enact laws which provide for reconvening a Commission for the purpose of modifying a redistricting plan. A Commission may be reconvened only upon a two-thirds vote in each house. Three of the four voting members must approve any modification to a plan. The Legislature has limited authority to amend the Commission's modification. Following approval of

a modification by the Commission, the Legislature has the next 30 session days to amend the modification. Modification to a redistricting plan takes effect upon approval of any amendments by the Legislature or expiration of the time for the Legislature to amend the commission's modification.

VOTES ON FINAL PASSAGE:

Senate	44	5	
House	85	10	(House amended)
Senate	42	4	(Senate concurred)

**SJR 105**

By Senators Fleming, Moore, Sellar and Hansen

Allowing harbor leases to last for fifty years.

Senate Committee on Natural Resources

House Committee on Natural Resources

BACKGROUND:

The State Constitution presently limits the term of harbor area leases by the state to a maximum of 30 years. To assist in obtaining financing in the construction of private and public port facilities, longer maximum lease terms are sought.

SUMMARY:

Upon ratification by the people in the November 1983 general election, the State Constitution will be amended to increase the maximum term for leases of land in harbor areas owned by the state from 30 years to 55 years.

VOTES ON FINAL PASSAGE:

Senate	45	1
House	88	0

**SSJR 112**

By Committee on Energy and Utilities (Originally sponsored by Senators Williams, Fuller, Talmadge, Bauer, McManus, Hansen, Moore, McDermott, Benitz and Woody)

Allowing local governmental entities to provide financing for energy conservation.

Senate Committee on Energy and Utilities

House Committee on Energy and Utilities

**BACKGROUND:**

One of the primary barriers to conservation implementation on the part of individuals and businesses is their inability to finance these projects on the same basis as utilities finance the development of generation (i.e., long-term, low-interest loans). This problem was partially addressed by the loan programs instituted under Senate Joint Resolution 120 (Article VIII, Section 10, State Constitution) with regard to residential energy use. Similar legislation is necessary to provide the same kind of financing opportunities for the commercial and industrial sector.

**SUMMARY:**

The lending of credit prohibition in the State Constitution is amended. Local governmental entities engaged in the sale or distribution of energy may use public funds derived from the sale of energy or loan their credit to the private sector for conservation or the more efficient use of energy. A charge back to the recipient will be made for the extension of public funds or credit. The termination date of Article VIII, Section 10 of the State Constitution, which provides for the lending of public funds or credit for residential energy conservation programs, is extended from January 1, 1990 to January 1, 2005.

Termination Date: Article VIII, Section 10 of the State Constitution will terminate on January 1, 2005.

**VOTES ON FINAL PASSAGE:**

Senate	33	15	
House	88	8	(House amended)
Senate	34	14	(Senate concurred)

**SCR 105**

By Senators Bluechel, Gaspard and Hughes

Acknowledging the participation and support by citizens of Washington in the National History Contest.

Senate Committee on Rules

House Committee on Rules

**BACKGROUND:**

Until 1982, students of Washington state schools had not participated in the 12 year old National History Day contest held yearly in Washington, D.C. As a result of last year's participation by the state's sixth through twelfth graders, 23 students visited Washington, D.C. Two students from Washington state schools placed among the top ten in the nation in two separate categories.

**SUMMARY:**

The participation and support by Washington state citizens and the superlative efforts of the participants and sponsors in the 1982 National History Day contest are recognized. May 21, 1983, is designated as "History Day."

**VOTES ON FINAL PASSAGE:**

Senate adopted  
House adopted

**SCR 108**

By Senators McManus, Bender, Vognild, Barr, Bauer, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Jones, Kiskaddon, Lee, McCaslin, McDermott, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Talmadge, Thompson, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman, and Representatives G. Nelson, Allen, Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson, Zellinsky

Congratulating the United States Senior Ladies Figure Skating Champion.

Senate Committee on Rules

House Committee on Rules

BACKGROUND:

Eighteen year old Rosalynn Sumners of Edmonds recently became the United States Ladies Figure Skating Champion.

SUMMARY:

Rosalynn Sumners is congratulated on her winning of the United State Senior Ladies Figure Skating Championship in February of 1983.

VOTES ON FINAL PASSAGE:

Senate adopted  
House 97 0 (House amended)  
Senate concurred

SSCR 113

By Committee on State Government (Originally sponsored by Senators Warnke and Vognild)

Providing for a legislative study of government reorganization.

Senate Committee on State Government

House Committee on State Government

BACKGROUND:

Over the past three decades a wide variety of proposals has been advanced to create a permanent mechanism for state government reorganization. None of the general reorganization techniques has been enacted, although several significant functional reorganization measures have been adopted.

Creation of a temporary legislative committee on state governmental organization could provide a single focus for restructuring state agencies.

SUMMARY:

The Legislative Advisory Committee on State Government Organization is created, consisting of eight Senators and eight Representatives, equally representing the two major political parties, plus eight business persons and two representatives of labor. The President of the Senate and the Speaker of the House of Representatives shall respectively appoint eight Senators or Representatives; four business persons, two referred by each major party in the Senate and House, and one representative of labor. The Committee shall be appointed within 30 days of adoption of the resolution, and the first meeting of the Committee shall be held no later than 20 days thereafter.

The Committee shall elect a member to serve as chairman, and may adopt rules to govern its proceedings. The Legislature shall provide staff and support services to the Committee. The non-legislative members shall be reimbursed for travel expenses as provided by law, and the legislative members of the Committee are entitled to reimbursement for expenses.

The purpose of the Committee is to facilitate and audit implementation of recommendations made by the Cost Control Task Force created by another 1983 measure (ESHB 740) and to study methods by which state government organization may be made more efficient or responsive. Criteria for committee study include managerial and supervisory span of control, defining central state services, identifying direct and indirect services and indirect overhead pool costs, identifying management positions and activities to be included in an indirect overhead pool, developing direct and indirect cost measurements, proposing the elimination of duplicative efforts or combination of state agencies, and identifying cost-saving possibilities for state agencies and departments.

The Committee may appoint such citizen subCommittees as it deems appropriate.

The Committee may make periodic reports and recommendations to the Legislature at its earliest convenience, and shall submit reports, including recommendations for legislation by January 1, 1984, and December 31, 1984.

Termination Date: The Committee will cease to exist on January 15, 1985, unless extended by concurrent resolution.

VOTES ON FINAL PASSAGE:

Regular Session  
Senate 29 13

First Special Session  
Senate 26 20  
House 89 2 (House amended)  
Senate 26 21 (Senate concurred)

**SCR 118**

By Senators Craswell, Conner, Owen and Granlund

Establishing the Andrew W. Anderson recreational fishing area.

Senate Committee on Natural Resources

House Committee on Rules

BACKGROUND:

Andrew W. Anderson, who died April 21, 1982, served many years with the United States Bureau of Fisheries, was active in Hood Canal related activities following his retirement in 1966, and was an early proponent of establishment of a recreational fishing area on the Hood Canal Bridge.

SUMMARY:

A public fishing area off the Hood Canal Bridge is designated as the "Andrew W. Anderson Recreational Fishing Area".

VOTES ON FINAL PASSAGE:

First Special Session  
Senate 41 0  
House adopted

**SSCR 120**

By Committee on Energy and Utilities (Originally sponsored by Senator Williams)

Establishing a joint select committee on telecommunications regulation.

Senate Committee on Energy and Utilities

House Committee on Rules

BACKGROUND:

The telecommunications industry is undergoing significant changes in its regulation technology and the nature of delivery of its services. These changes will impact residential, business and governmental consumers of the industry. The regulatory scheme has been in effect for several decades and is in need of substantial review.

SUMMARY:

A Joint Committee on Telecommunications Regulation is created. The Committee will consist of eight members, four from the House of Representatives and four from the Senate. The Committee will utilize existing staff but may hire additional staff as needed.

The joint legislative committee will provide assistance to the Utilities and Transportation Commission.

Future Obligation: The Committee will report to the Legislature in 1984 and 1985.

Termination Date: The Committee will terminate upon the convening of the 49th Legislature in 1985.

VOTES ON FINAL PASSAGE:

First Special Session  
Senate 37 8  
House 95 0

**SCR 127**

By Senators Vognild, Bottiger, Hayner, Fleming and Jones (By Lieutenant Governor Request)

Establishing a joint select legislative committee on international trade, tourism, and investment.

Senate Committee on Rules

House Committee on Rules

BACKGROUND:

World trade plays an integral part in the economy of the state of Washington constituting \$16,079,000 in imports and \$11,365,000 in exports for 1982. The recent downturn in the economy has highlighted the need for expansion of the international market for Washington products. During the past biennium, the Joint Committee on International Business and Tourism continued its relationship with

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## SCR 127

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the Pacific Rim trading partners of the state and made initial contacts with European nations.

### SUMMARY:

The Joint Select Legislative Committee on International Trade, Tourism and Investment is created to: 1) encourage the expansion of international trade and determine the impact of international trade, tourism and investment on the economy of the state of Washington; 2) evaluate current state law in relation to encouraging international trade; 3) evaluate current administrative programs for the development of trade, tourism and investment; 4) develop alternative state programs to enhance trade and tourism; 5) develop models whereby the public and private sectors may foster international trade, tourism and investment; and 6) develop and implement a state policy to insure viable international trade.

The Joint Select Legislative Committee on International Trade, Tourism and Investment shall be composed of members of the Senate and House of Representatives with the Lieutenant Governor as chairman.

### VOTES ON FINAL PASSAGE:

Regular Session  
Senate 41 0

First Special Session  
Senate 46 0  
House 97 0

## SCR 130

By Senators Peterson, Guess, Sellar, Patterson, Haley, Barr, Hansen, Vognild, von Reichbauer, Bender, Granlund and Owen

Assigning topics of study to the Legislative Transportation Committee and the standing committees on transportation.

Senate Committee on Rules

House Committee on Rules

### BACKGROUND:

Chapter 43.88 RCW authorizes the Legislative Transportation Committee and the House and Senate standing Committees on Transportation to

study transportation policies and issues of concern to the state.

Chapter 43.88 RCW further requires certain oversight activities on the part of the Legislative Transportation Committee of those agencies who derive revenue support from the motor vehicle fund.

### SUMMARY:

The Legislative Transportation Committee in conjunction and cooperation with the House and Senate Committees on Transportation is authorized to perform studies pertaining to transportation matters.

The committees are authorized to study: (1) membership in the International Registration Plan for commercial vehicles; (2) boat registration, titling and boating safety; (3) recodification of all statutes pertaining to transportation agencies; (4) the need for a rapid transit system to operate in the western Washington corridor; (5) alternative technologies for moving passengers in Washington transportation corridors, including crossings of Puget Sound; (6) whether certain county roads should be redesignated as state routes and certain state routes returned to local jurisdictions; (7) laws governing impoundment and towing of motor vehicles; (8) changes necessary to bring state railroad laws into conformity with the federal Staggers Rail Act of 1980; (9) implementation of recently enacted legislation promoting Washington State's entry into the nonresident violators compact; (10) regulation of private carriers relative to hazardous materials and safety inspection; (11) the effects of rail service abandonment on transportation facilities in Washington; (12) marine pilotage; (13) administration of the transportation equipment fund and program R; (14) funding and legislative oversight activities in other states; (15) the effect of recent DWI legislation upon highway safety and on the operations of transportation agencies; and (16) city, county and state transportation needs, revenue sources presently available to meet those needs, and alternatives for providing adequate, stable funding sources to meet long-term needs for all transportation modes.

### VOTES ON FINAL PASSAGE:

First Special Session  
Senate 41 0  
House 91 4 (House amended)  
Senate 42 0 (Senate concurred)

# VETO MESSAGES



SHB 39	327	HB 446	342	SB 3106	362
HB 89	328	SHB 495	343	SB 3182	363
SHB 117	330	SHB 620	344	SB 3258	364
SHB 126	332	SHB 646	345	SSB 3433	366
SHB 134	333	SHB 784	346	SSB 3538	367
SHB 139	335	SHB 796	347	SB 3857	368
SHB 234	336	SHB 1035	349	SB 3909	369
2SHB 295	337	HB 1079	350	SB 3991	370
SHB 359	338	SSB 3042	356	SSB 4034	371
SHB 390	339	2SSB 3085	358	SSB 4059	372
HB 420	340	SB 3090	359	SSB 4092	373
SHB 426	341	2SSB 3100	360	SB 4204	374

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## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 14, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to three sections,  
Substitute House Bill No. 39, entitled:

"AN ACT Relating to sunset review."

Sections 11, 12, and 13 of this bill were amended into the bill in an attempt to clarify state regulation of escrow agents. The current regulatory picture is unclear as a result of the Supreme Court's issuance of Admission to Practice Rule 12, which became effective January 21, 1983. I agree that a resolution to the many questions of escrow agent regulation must be reached, and have directed the Department of Licensing to work with the Supreme Court toward this end. Unfortunately, these three sections would merely raise additional separation of powers questions. In addition, their content is inconsistent with the bill's title.

With the exceptions of sections 11, 12, and 13, Substitute House Bill No. 39 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

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. 89, entitled:

"AN ACT Relating to emergency services plans."

This bill modifies our emergency planning laws by stating, "No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack." But RCW 38.52.050 requires the Governor to "cooperate with the President and the heads of armed forces, [and] the emergency services agency of the United States . . . in matters . . . including the direction or control of . . . the evacuation and reception of the civilian population." The offending sentence in House Bill No. 89 would therefore create a conflict by placing the Governor and his executive agent in violation of RCW 38.53.050 whenever wartime evacuation involving the possibility of nuclear attack was considered.

I note that, although the Federal Emergency Management Agency's (FEMA) Emergency Management Assistance program incorporates nuclear civil preparedness planning, the state Department of Emergency Services is not now requiring local governments to prepare nuclear attack evacuation plans. In fact, our state is currently working with local governments and other states in order to reduce the emphasis on nuclear attack planning that is inherent in FEMA programs. Nevertheless, it is essential that our civil defense policy be consistent with, and ultimately subordinate to, Federal policy in this as well as other areas.

Additionally, House Bill No. 89 could endanger local governments' ability to receive approximately \$700,000 per year in Federal matching funds as well as \$300,000 per year the Department of Emergency Services receives in administrative monies. Although this loss is not a certainty, it is unreasonable to risk this amount of support before coordination efforts are complete and without any new planning flexibility being offered to local governments.

Finally, I note that the sunset review of the Department of Emergency Services is now underway. That is the proper place to address any

The Honorable, the House of  
Representatives of the  
State of Washington

May 17, 1983

Page 2

changes in chapter 38.52 RCW. Piecemeal approach to policy making,  
exemplified by House Bill No. 89, injects confusing contradictions into  
the law.

For the foregoing reasons, I have vetoed House Bill No. 89.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

May 17, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representative of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill  
No. 117, entitled:

"AN ACT Relating to the reduction-in-force of tenured or  
probationary community college faculty members due to a financial  
emergency."

Substitute House Bill No. 117 amends the reduction-in-force process  
established by Chapter 13, Laws of 1981 for use during state financial  
emergencies. Since its enactment, the 1981 law has been used at only  
two community colleges and has affected only six faculty members. It  
has also been challenged but found to be constitutional in a unanimous  
decision by the state Supreme Court. Changes to it should therefore be  
carefully considered.

If Substitute House Bill No. 117 is approved, the intent of the 1981 law  
will be undone. It will henceforth be difficult, if not impossible, for  
community colleges to absorb additional budget reductions. Salaries and  
benefits of tenured faculty constitute a large part of total community  
college operating costs. This legislation requires negotiations and  
agreement between boards of trustees and faculty representatives on  
procedures for reductions in force before such reductions take place.  
If agreement even on procedures cannot be achieved, the entire process  
stops. In other words, either party could frustrate the intent of this  
legislation merely by failing to agree on the necessary procedures.

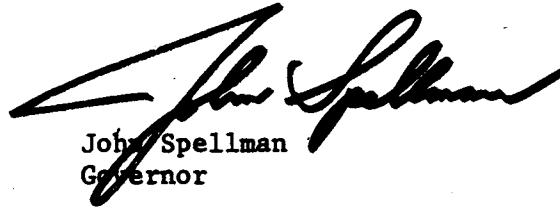
Further, this legislation gives final decision-making authority to a  
hearing officer rather than to the appointed trustees in cases of appeal  
by affected employees. Hearing officers are not responsible for  
colleges; trustees are, and they cannot exercise their responsibility  
and remain accountable if another makes final decisions with which they  
must live. Moreover, giving final authority to a hearing officer is  
contrary to the fundamental precept of Article XIII of the State  
Constitution, which places in the trustees the responsibility for  
management on behalf of the public. I am also concerned that "final"  
authority may deny the right of appeal by a faculty member or a board to  
a court of law.

The Honorable, the House  
of Representatives of the  
State of Washington  
May 17, 1983  
Page 2

The 1981 law provided a fair and reasonably expeditious method for coping with the difficult task of reducing institutional budgets in times of financial emergency. This legislation not only would negate the advantages gained by that law but could conceivably create a more unmanageable situation than existed prior to 1981.

For the foregoing reasons, I have vetoed Substitute House Bill No. 117.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman". The signature is written in a cursive style with a large, sweeping initial "J".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 1(2), 2(3), and 3, Substitute House Bill No. 126, entitled:

"AN ACT Relating to retirement from public service."

Similar provisions were contained in Substitute House Bill No. 138 of the 1981 Regular Session. At that time I vetoed language relating to the reestablishment of retirement credits. Current law provides more than ample opportunity for members of the Teachers' Retirement System and the Public Employees' Retirement System to regain credit for previous service. When members reenter service they have a number of years in which to restore their credits. An extension of that period would result in a significant increase in the liabilities of the pension systems, an increase which cannot be justified in light of the state's financial difficulties and the retirement systems' existing liabilities.

I have signed into law, however, provisions of the bill that require the state to notify employees, within 90 days of resuming service, of the date by which they must exercise their option to "buy back" into the retirement system, and the amount of money required to be paid.

With the exceptions of sections 1(2), 2(3), and 3, which I have vetoed, Substitute House Bill No. 126 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

May 17, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 134, entitled:

"AN ACT Relating to public employees."

In 1960, the citizens of our state voted to establish a state personnel system to be "based on merit principles." This goal is contained in RCW 41.06.010, the declaration-of-purpose section of the State Civil Service Law. Until last year, with the passage of Substitute House Bill 1226 (Chapter 53, Laws of 1982, 1st Ex. Sess.), competitive examination for placement on the certified rosters was one of the few examples of application of the principle of merit in our state personnel system. Indeed, as many observers have noted, before 1982, our personnel system had very little relationship to the merit principle.

Last year the legislature took a modest step in fulfilling the original goal of the State Civil Service Law by permitting performance, together with seniority, to be given consideration in matters of compensation and reduction in force. I view much of Substitute House Bill 134, which removes that basic merit principle of performance from the state personnel system, as an unfortunate step backward in our efforts to meet the people's original mandate.

Substitute House Bill 134 must be viewed against this background of original intent as well as in terms of the motivational concept of recognition for good work. State government is no longer a "growth industry" in which we can afford simply to bring in new, highly competent, and motivated people in order to keep our agencies and institutions operating efficiently and effectively. Instead, we must look primarily to maintaining and improving our current work force and establish some way to distinguish the best employees, give them rewarding responsibilities and positions of leadership, and compensate them accordingly. The current law governing performance-based pay is helping us to do that. It should therefore be retained.

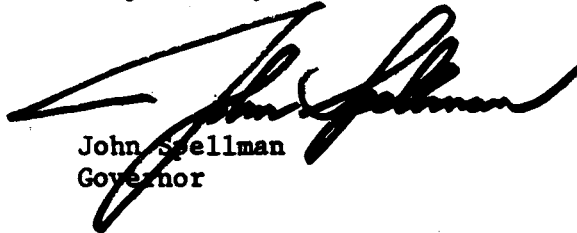
The Honorable, the House  
of Representatives of  
the State of Washington  
May 17, 1983  
Page 2

In addition, this legislation prescribes additional procedures for termination of employment. I am not convinced that those procedures are necessary. Existing law is working. Managers already have adequate rules and procedures governing the dismissal of employees.

This legislation also requires that the ratio between management and nonmanagement positions must never increase during periods of hirings or reduction in force. Such an approach to staffing is far too rigid because it encompasses all the various organizations and situations of state government and allows no flexibility. Establishment of fixed management-nonmanagement ratios by statute removes the administrative discretion that is necessary in order to operate complex state programs.

For these reasons I have vetoed Substitute House Bill No. 134.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman", written in a cursive style. The signature is positioned above the printed name and title.

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

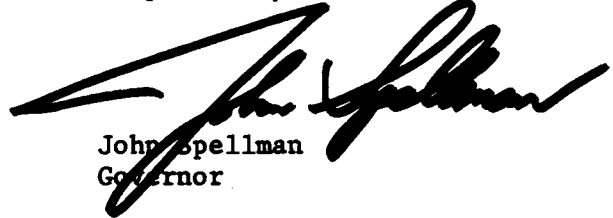
I am returning herewith, without my approval section 19, Substitute House Bill No. 139, entitled:

"AN ACT Relating to insurance."

Section 19 of this bill would alter the health insurance conversion rights of people who lose their group coverage because of labor disputes. Because of the technical operation of the law referenced in this amendment, such individuals could lose their conversion rights entirely. I do not believe that represents the legislature's intent.

With the exception of section 19, which is vetoed, Substitute House Bill No. 139 is approved.

Respectfully submitted,



John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 23, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

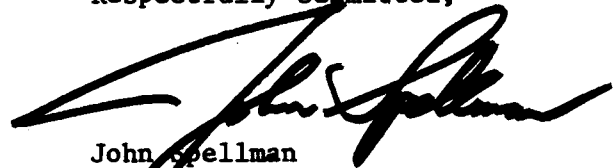
I am returning herewith, without my approval as to section 17(5),  
Substitute House Bill No. 234, entitled:

"AN ACT Relating to transportation."

Section 17(5) is identical to Senate Bill No. 3991, which I vetoed on  
April 23, 1983. It would set statutory tolls for crossing the Hood  
Canal Bridge. The Transportation Commission has lowered the tolls for  
the Hood Canal Bridge to amounts identical to those contained in this  
subsection, which is therefore unnecessary.

With the exception of Section 17(5), which I have vetoed, Substitute  
House Bill No. 234 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 14, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 3 (6), Second Substitute House Bill No. 295, entitled:

"AN ACT Relating to state officers and employees."

Section 3, subsection (6) of this bill would repeal the existing, specific payroll deduction for labor or employee organization dues and replace it with a payroll deduction for "contributions to labor or employee organizations." As used in the bill, the undefined word "contributions," might be interpreted to include deductions for political activities. If the legislature chooses to change public policy to allow payroll deductions for political contributions, it should do so in an open and specific way so that everyone is aware of the change being made. For that reason, I have vetoed section 3, subsection (6).

With the exception of section 3 (6), which I have vetoed, Second Substitute House Bill No. 295 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 16, 1983

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. 359, entitled:

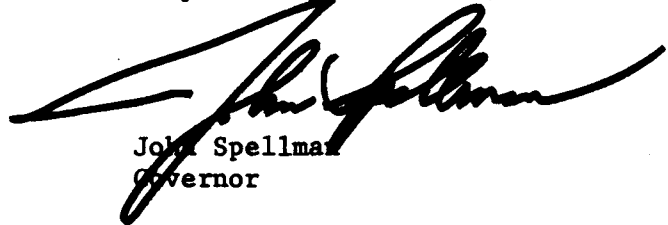
"AN ACT Relating to the regulation of health professions and  
occupations licensure."

Section 16 of this bill would make immediately effective the new dental  
hygienist examining committee. Unfortunately, the June examination has  
already been announced, and it would be impossible to appoint and orient  
the new committee in time to properly administer that examination.

By allowing the new examining committee to become effective in the  
normal 90 days rather than immediately, the June examination can be  
properly administered and the new committee smoothly established.

With the exception of Section 16, which I have vetoed, Substitute House  
Bill No. 359 is approved.

Respectfully Submitted,



John Spellman  
Governor



# State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 16, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 52,  
Substitute House Bill No. 390, entitled:

"AN ACT Relating to government borrowing."

Section 52 of this bill would duplicate section 1 of Substitute House  
Bill No. 189, which I already have signed.

With the exception of section 52, which I have vetoed, Substitute House  
Bill No. 390 is approved.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 11, 1983

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. 420, entitled:

"AN ACT Relating to the cemetery board."

Section 2 of this bill would allow purchasers of cemeteries, under certain circumstances, to renege on the previous owners' prearrangement contracts for cemetery merchandise and services. I can find no justification for this deviation from the state law requiring that new owners be bound by previous owners' obligations to provide merchandise and services that people have already paid for.

With the exception of section 2, which I have vetoed, House Bill No. 420 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

May 16, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill  
No. 426, entitled:

"AN ACT Relating to public employees."

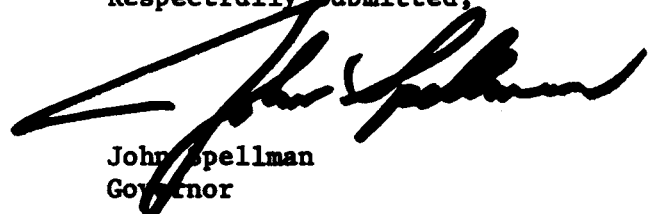
Present law permits local governments to forbid the participation by public employees in the management of nonpartisan campaigns. These employees may vote, express opinions on issues and candidates, hold political office, and manage partisan campaigns. They may also participate fully in campaigns that do not involve candidates.

This legislation would allow participation by public employees in the management of all political campaigns, and would thus authorize expansion of the political activities of employees of all jurisdictions with nonpartisan elections. Such jurisdictions include cities and towns, port and school districts, and other local jurisdictions below the county level.

One provision would affect employees of only counties, cities, and towns. Section 1, subsection 6, requires such employees to take leaves of absence from their positions while holding elected office in those jurisdictions. Current practice generally requires such employees to resign. Because this provision would allow employees elected to public office to retain ties to previously held positions, it could clearly create conflicts of interest.

In my opinion, the present law safeguards against conflicts of interest and also properly defers to local governments in determining rules applying to local elections. I have therefore vetoed Substitute House Bill No. 426.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 16, 1983

The Honorable, the House  
of Representatives of the  
State of Washington

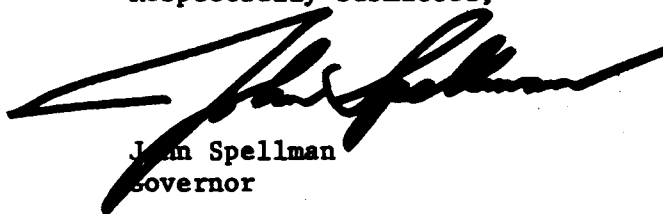
Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 446, entitled:

"AN ACT Relating to employees' personnel files."

This bill requires all employers - public or private - to permit employees to inspect their personnel files at a place convenient to the employee. Moreover, disputes between employer and employee over information in the file are to be resolved with the Department of Labor and Industries in the absence of a collective bargaining agreement that specifies alternative procedures. The Department is given authority to purge material from the file. I do not find that such a substantial departure from current practice in this area is warranted. I have therefore vetoed House Bill No. 446.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 13, 1983

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. 495, entitled:

"AN ACT Relating to retirement from public service."

I have been requested to veto this bill by the bill's sponsor. An error was made in drafting an amendment to the bill. As a result, the bill has the unintended effect of making post-retirement adjustment payments retroactive to July 1, 1978, rather than beginning on July 1, 1983. Not only would such a law be unconstitutional, but also the appropriation in the bill would not cover the costs.

I have been assured that corrective legislation is being prepared and will be acted upon promptly.

Respectfully submitted,



John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

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. 620, entitled:

"AN ACT Relating to state employees' insurance."

This bill would authorize the State Employees' Insurance Board to self-fund any or all of the insurance programs under its jurisdiction except property and casualty insurance. Medical and dental coverage would be primarily affected.


I am aware that self-insuring is a common practice among large employers in the private sector and that, under the right circumstances, self-insuring can result in substantial savings. Furthermore, the low number of bidders for SEIB coverages in recent years raises significant questions as to the cost-effectiveness of our current contractual arrangements.

I am also aware that there are high risks involved in self-insurance. The state should not rush into this type of program without adequate preparation. Both the House and Senate budget bills currently under consideration recognize this risk by directing the Office of Financial Management to study the self-insurance alternative.

I consider it prudent to await the results of that study before enacting legislation. I hope that the study will tell us whether self-insurance is desirable for the SEIB programs and, if so, exactly what features the enabling legislation should contain in order to ensure the highest probability of success.

For these reasons I have vetoed Substitute House Bill No. 620.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 12(8), new language in section 14(7), and section 14(8), Substitute House Bill No. 646, entitled:

"AN ACT Relating to public accounting."

Section 12(8) would allow disciplinary action against Certified Public Accountants for "conduct disparaging to the public accounting profession." This standard is too vague to set in motion disciplinary action.

The new language added to section 14(7) would require a stenographic record of Board hearings and transcripts filed with the Board. This requirement exceeds the normal requirements contained in the Administrative Procedures Act.

Section 14(8) would allow the Board of Accountancy to employ outside counsel to represent it at appeals hearings. This would be contrary to the established policy that the Attorney General represent state agencies.

With the exceptions of these sections, Substitute House Bill No. 646 is approved.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

May 17, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill  
No. 784, entitled:

"AN ACT Relating to economic and revenue forecasting."

This bill would establish an economic and revenue forecasting council  
jointly appointed by the Governor, the Senate, and the House.

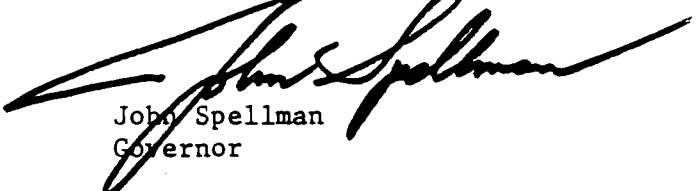
While I am not adverse to the concept and appreciate the desire of the  
legislature to upgrade our state's capabilities for economic and revenue  
forecasting, I cannot endorse its so doing at the expense of the  
executive branch.

The economic buffeting that our state has experienced over the past two  
years has focused attention as never before on the critical nature of  
the economic and revenue forecasting functions of state government. But  
to use that unprecedented experience as reason to strip from the  
executive branch its capacity for economic and revenue forecasting is  
unacceptable.

Because the governor must, by law, provide by a specific date a budget  
document containing specific items, he or she must have the resources to  
complete that task and to furnish advice for the preparation of that  
document. Both houses of the legislature have, to date, passed proposed  
budgets for the Office of Financial Management and the Department of  
Revenue that assume passage of this legislation; however, in so doing,  
they have applied reductions to those budgets that are excessive. As  
passed, those budgets would not allow those agencies sufficient  
resources to review the work of the new forecasting council, participate  
in its deliberations, or advise the Governor. This is a situation which  
the Governor cannot accept and still perform his or her assigned  
functions.

For these reasons, I have vetoed Substitute House Bill No. 784.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

June 14, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute House Bill No. 796, entitled:

"AN ACT Relating to state government."

This bill would create a Department of Economic and Community Development in July, 1984. The programs of the Planning and Community Affairs Agency and the Department of Commerce and Economic Development would be transferred to the new agency, and the two existing agencies would be abolished.

The programs affected by this reorganization are severely underfunded for fiscal year 1985 in the biennial budget bill (HB 1079). I believe that this bill was passed without a thorough examination of the impacts that consolidation, coupled with severe underfunding, would have on the delivery of vital services.

As a reorganization measure, this bill specifies an unworkable internal organization for the new department. Three new statutory offices are created as administrative subdivisions. Moreover, the bill is ambiguous with respect to the transfer of employees from the two existing agencies to the new agency and to their existing civil service rights. The bill imposes other impediments to the new director's flexibility in organizing and staffing the new agency in order to carry out the effective administration of existing and contemplated community and economic development programs.

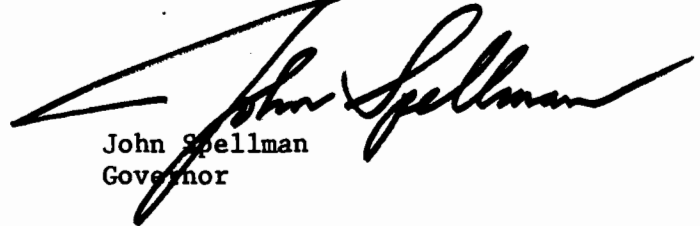
I am not convinced that a merger of the two existing agencies is the best means of ensuring the most effective delivery of economic and community development programs. Even if such a reorganization were prudent, a more flexible and effective reorganization bill could be drafted.

To the Honorable, the House  
of Representatives of the  
State of Washington

Page 2

Under existing law, the current agencies will continue to operate during the next fiscal year. In the interim, I will work with the affected agency directors, the constituencies of both agencies, and the legislature in order to identify alternative plans for organizing and funding the most effective means of fostering community and economic development. I invite concerned legislators to work with me in this effort.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman", written in a cursive style. The signature is positioned above the printed name and title.

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 23, 1983

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. 1035, entitled:

"AN ACT relating to collective bargaining."

This bill would give Washington State Patrol officers collective bargaining rights not over wages but over other working conditions. The critical mission of the State Patrol requires strict command and authority throughout the organization. I fear that if the management of the agency were subject to collective bargaining, the discipline of the patrol -- and therefore public safety -- might be eroded. For that reason, I have vetoed Substitute House Bill No. 1035.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

June 15, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the House of  
Representatives of the State  
of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to several provisions  
HB 1079 entitled:

"AN ACT Relating to the budget."

The provisions I have vetoed and the reasons therefore are as follows:

1. State Auditor

On page 8, section 20, I have vetoed subsection (2), which states  
that:

*The director of financial management shall approve sufficient payments  
to the state auditor in all cases of necessity under RCW 43.09.418,  
including but not limited to cases of suspected malfeasance,  
misfeasance, or fraud, notwithstanding the level of auditing activity  
supported by the appropriation in this section.*

RCW 43.09.418 currently allows the director of the Office of Financial  
Management to approve payments to the State Auditor in excess of the  
legislative appropriation in cases of necessity. This proviso would  
require OFM to approve any additional payments required by the State  
Auditor. This proviso modifies RCW 43.09.418 and is therefore in  
conflict with legal findings that changes in substantive law must be  
made by amendment to that law and cannot be made through an  
appropriations act.

2. Office of Financial Management

On page 9, section 22, I have vetoed subsection (2), which states that:

*The Director of Financial Management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.*

This is an example of the legislature's failure to properly address the budget issues that were before them. If the legislature felt the need to reduce the overall General Fund budget by \$2 million, it should have identified the agencies and programs it wanted to fund at a lower level. If the legislature felt the amounts requested for equipment were in excess of need, it should have identified those excesses and reduced agency budgets accordingly.

3. Economic and Revenue Forecasting Council

On page 15, I have vetoed Section 50, which states that:

NEW SECTION.    *Sec. 50.    FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL*

*General Fund Appropriation . . . . . \$ 804,000*

*The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 784 is not enacted by July 1, 1983, then the appropriation in this section shall lapse.*

This appropriation was contingent upon enactment of House Bill 784, which I vetoed.

4. Department of Social and Health Services (DSHS)

On page 17, I have vetoed subsection (1) of section 52 which states that:

*Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only*



*with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.*

This proviso is a modification of substantive law and, as such, is not appropriate for an appropriations act. RCW 43.88 establishes and directs the allotment process, and any changes to that process should be incorporated into that statute.

5. DSHS - Long Term Care Services

On page 23, I have vetoed the second sentence of subsection (1) of section 56, which states that:

*These services shall be provided in the least restrictive and most cost-effective manner appropriate for individual clients.*

I am concerned that this section could create internal inconsistencies. It is not realistic to require any system-wide approach to be capable of responding to each client's individually perceived needs. While I expect the department to make every effort to provide a coherent system of long-term care services, the language in this section might result in individual client expectations that cannot be reasonably met, and thus expose the state to lawsuits. Directives such as this are modifications of substantive law, and, if added, should be amendments to statutes, not imposed by way of the appropriations act.

6. DSHS - Income Assistance

On page 26, I have vetoed subsection (2) of section 57, which states that:

*The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.*

Currently, the WIN program is a joint effort of the Employment Security Department and the Department of Social and Health Services. The program's goal is to achieve a reduction in welfare dependency by helping AFDC recipients to become self-sufficient. The WIN program has two essential elements, which are (1) to ensure the health and welfare of the participants and (2) to secure unsubsidized gainful employment for them. Because of these requirements, both agencies should be integral parts of the program.

7. K - 12 Compensation Increases

On page 49, I have vetoed subsection (1) of section 97, which permits the November, 1984, pay increase to be accelerated by up to fourteen months.

This portion of the act is flawed in several respects. First, it does not relate to the title of the act, having nothing to do with appropriations. The prior legislature's action in adopting House Bill 166 was intended to limit salary increases to funded increases properly included under an appropriation act title. Second, it authorizes salary increases at local districts but provides no funds. The vetoed language could cost local school districts or the state up to \$80 million, enough to employ over 2,400 classroom teachers during the fourteen-month period. It is possible that authorized but unfunded increases paid after Judge Doran's July 1, 1984, deadline would become an obligation of the state.

If the legislature wishes to grant salary increases, it must accept the responsibility for funding those increases. If it wishes to abolish salary controls or to increase average class sizes, it must amend existing state laws on these subjects.

In vetoing section 97 (1), I was forced to eliminate language imposing a penalty for violation of state salary guidelines. I expect the legislature to reenact such a penalty at its next session. In the interim, it should be remembered that any contract granting increases in excess of state guidelines violates RCW 28A.58.095 and is not a legal agreement. I expect local school boards to continue to obey the law.

8. K - 12 Health Insurance Benefits

On page 57, I have vetoed subsection 103 (6) (b), which would have permitted districts to increase health insurance benefits up to a rate of \$159 per individual. This language contains the same flaws as subsection 97 (1). The legislature has failed to provide the up-to-\$24 million needed to fund this increase. The most recent data available, for 1981-82, show that districts, on average, follow the state funding practice by providing benefits on a full-time-equivalent basis. While the intent is laudable, failure to provide the needed funding is fiscally irresponsible.

9. Salary Increase Lid

On page 58, section 103, I have vetoed subsection (7), which states that:

*The salary increases authorized in subsections (4) and (5) of this section shall not apply to any employee whose annual salary is \$40,000 or greater. Money saved pursuant to this subsection shall be placed in reserve.*

On page 75, section 134, I have vetoed subsection (9), which states that:

*The compensation increases authorized in subsections (7) (a) and (b), and (8) of this section shall not apply to any state employee whose annual salary is \$40,000 or greater. Money saved pursuant to this section shall be placed in reserve.*

This type of salary limit is unfair, arbitrary, and unnecessary. It is this type of salary-setting policy that causes the greatest difficulty in the recruitment and retention of quality state employees and faculty.

10. The Evergreen State College

On page 69, I have vetoed subsection (6) of section 122, which states that:

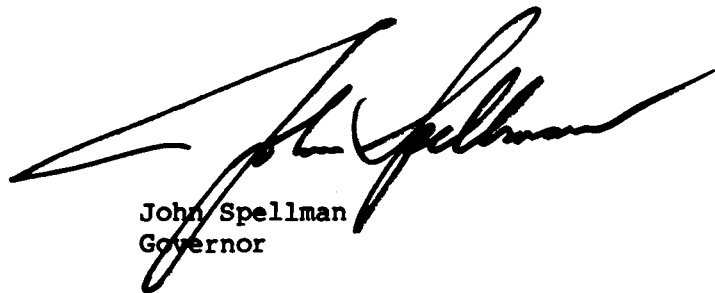
*The appropriations in this section are subject to the following conditions and limitations:*

- (a) The board of trustees of The Evergreen State College is directed to limit the use of campus space to that amount sufficient to serve enrollments of up to two thousand five hundred students during each year of the biennium.*
- (b) The board of trustees shall cooperate with the director of the department of general administration, who is directed to use such space in excess of that provided in subsection (6) (a) of this section to reduce the amount of leased space in Thurston County for offices, warehouses, and similar purposes as are required by elected state officials, institutions, departments, commissions, or other state agencies: PROVIDED, That this subsection (6) (b) shall not restrict the ability of The Evergreen State College from regaining that space if the college achieves an enrollment in excess of two thousand five hundred students.*

This proviso restricts Evergreen's use of its own campus and improperly delegates authority over the campus facilities to the Department of General Administration. The college currently rents space to state agencies and will continue this practice to the extent the trustees feel appropriate.

With the exceptions of the aforementioned sections, which I have vetoed, HB 1079 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute Senate Bill  
No. 3042, entitled:

"AN ACT Relating to labor relations in institutions of higher  
education."

The bill would establish collective bargaining in higher education.

I am not persuaded that the long traditions of special faculty-management  
relationships in our institutions of higher learning should be abandoned  
in this time of stress.

Although peer group evaluation, tenure, academic freedom, and involvement  
of faculty in governance have added a distinct style to our higher  
education institutions, a significant number of members of our faculties  
believe that those longstanding operational forms do not meet their  
current needs. I have carefully read letters from faculty members.  
There are two prevailing themes. First, that faculty remuneration for  
several years has suffered. That is true. The answer to that situation,  
which I addressed in my budget proposal, is a matter for final legislative  
determination. Second, faculty perceive that they have little influence  
in shaping an institution's directions, particularly during the recent  
period of forced program cutbacks due to the state's severe financial  
condition. Whether true or not, that perception needs to be heeded by  
regents, trustees, and administrators. All parties need to reexamine  
how decisions have been, and should be, made.

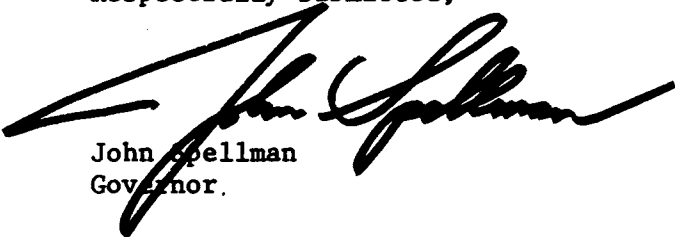
I do not see within the framework of SSB 3042 mutual cooperation in the  
development of procedures that are necessary to preserve the special  
nature of our higher education institutes. Rather, what confronts me is  
a standard industrial bargaining model that does not address, nor  
provide for, the critical elements inherent in a vital higher education  
system. It does not address students' needs or interests. It does not

To the Honorable, the Senate  
of the State of Washington  
May 17, 1983  
Page 2

prohibit strikes; in fact, it acknowledges their possibility in section 19(3). It injects a new adversarial relationship into a system which has been damaged by inadequate funding but is beginning the process of rebuilding.

This appears to be an inappropriate time to abandon a long proven system for the uncertainties inherent in this bill. Therefore, I have vetoed Substitute Senate Bill No. 3042.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman", written in a cursive style. The signature is positioned above the printed name and title.

John Spellman  
Governor.



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 11, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:


I am returning herewith, without my approval as to section 4, Second Substitute Senate Bill No. 3085, entitled:

"AN ACT Relating to unemployment compensation."

This bill provides for a one-year extension of the unemployment insurance additional benefits program, to be implemented only when the corresponding Federal program ends. If and when these benefits are paid, and if the unemployment fund thereby goes into deficit status, sections 4 and 5 provide for ways to finance the deficit. At a given dollar deficit, section 4 would mandate a surcharge in the rate at which employers pay into the fund as well as increase the base (to 80 percent of the average annual wage) on which the rate is paid. Potentially, this could amount to a very substantial increase in employer contributions. There is no mechanism for removing or reducing the surcharge or base once the deficit is made up. In light of the fact that section 5 provides for an alternative way to finance the deficit, by establishing (through employer contributions) a Federal interest payment fund that would pay for the interest on funds borrowed from the Federal government, the potentially onerous impact of section 4 is unwarranted. For that reason I have vetoed section 4.

With the exception of section 4, which is vetoed, Second Substitute Senate Bill No. 3085 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 20, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 3 and 5,  
Senate Bill No. 3090, entitled:

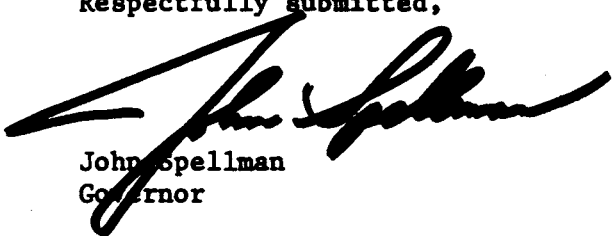
"AN ACT Relating to budgeting and accounting."

Section 3 requires that budget information submitted by the Governor cannot exceed the detail of the required budget developed under existing estimated revenues. That language, interpreted literally, would limit the Governor's ability to provide for legislative consideration various alternative budget and revenue proposal details. Statutory budget preparation requirements should be carefully considered in order to avoid conflicts with other provisions of chapter 43.88 RCW, the Budget and Accounting Act.

Section 5, an emergency clause, inadvertently included a specific effective date of July 1, 1983, for section 2. That effective date was intended for the repealer referenced in section 4.

With the exception of sections 3 and 5, which I have vetoed, Senate Bill No. 3090 is approved.

Respectfully submitted,



John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

March 18, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 7, 14, 24, 31, and 32(2), Second Substitute Senate Bill No. 3100, entitled:

"AN ACT relating to state agencies."

I have vetoed section 7, which amends the appropriation "FOR THE GOVERNOR-SPECIAL APPROPRIATIONS." This section would reduce to an unacceptable level the funds available to my office to address emergencies that may occur during the period of time between adjournment of the legislature and the end of the biennium. As long as the legislature is in session, it should appropriate directly from the General Fund for the special problems it wishes to address, rather than deplete the limited emergency funds available. Otherwise, unforeseen demands on the emergency fund could require a special session of the legislature.

I have vetoed section 14, which contains a provision that: "the department of agriculture shall not expend any state general fund moneys for the aerial spraying of hard chemicals over cities with a population over 140,000 persons located in a county with a population over 450,000 persons." This language, which contains some imprecise terms, would unduly restrict the department's ability to address its statutory responsibilities to protect the general population from plant pests and diseases. The issue of aerial spraying of hard chemicals should be debated in the normal course of the legislative process, where public testimony and expert witnesses can contribute to the development of legislation on eradicating pests. This provision has not experienced that process.

I have vetoed section 24. The intent of this section is to reduce the state tourism budget by \$485,000 at a time when the state is in the midst of a phased promotional campaign designed to attract tourists for the coming summer. It is essential to continue the program that has been developed over the past several months in order to enhance the tourism sector of our state's economy. The continuation of those efforts is critical to the creation of employment opportunities and to the development of a positive atmosphere for investment in the tourist industry.

To the Honorable, the Senate  
of the State of Washington  
March 18, 1983  
Page 2

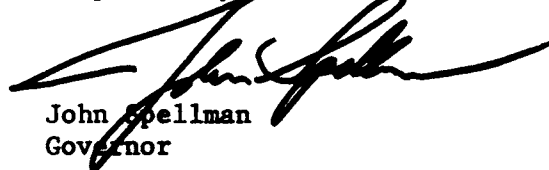
I have vetoed section 31, which requires the reduction of salaries through the end of this biennium for those state employees earning \$40,000 per year or more. By far the largest group of employees affected by this section are the senior faculty members of our institutions of higher education. Medical and dental professionals would also be affected. We are already experiencing difficulties retaining and recruiting employees in those critical areas. To reduce salaries in this manner would only exacerbate this problem. Moreover, the effect on key management people cannot be overlooked. Those on whom we depend to provide leadership to state government in these difficult economic times should not be further penalized by having their salaries reduced. I might note that elected officials with salaries set by statute would not have been affected by this section, because those salary levels cannot be changed except by changing the specific statutes associated with such positions. Finally, those state employees whose salaries are set by contract would have a strong legal case for challenging the reductions as applied to them; a successful suit would undercut the goal of saving money and would result in inequitable application of the reductions.

I have vetoed section 32(2), which provides, in effect, for the supplemental appropriations for the legislature to continue after the end of the current biennium. The legislature, like any other state entity, should have its appropriation for the ensuing biennium established by the omnibus appropriation act for that biennium and should not expect to carry forward a cushion of unexpended funds intended for the prior time period. If, during the next biennium, events establish the need for supplemental funding, the legislature can provide the necessary appropriation.

I have not vetoed section 30, which directs me to impose a hiring freeze and order further expenditure reductions, because I agree with its purpose. On December 13, 1982, I issued Executive Order 82-24, which contains provisions very similar to the language of section 30. I want to state, however, that as a general rule, directives of this sort from the legislature to the Governor are inappropriate.

With the exceptions of the aforementioned provisions, which I have vetoed, Second Substitute Senate Bill No. 3100 is approved.

Respectively submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 11, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 3, Engrossed Senate Bill No. 3106, entitled:

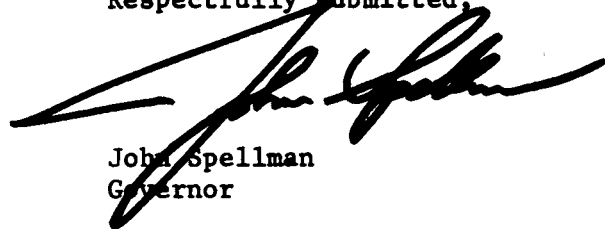
"AN ACT Relating to driving while intoxicated."

This bill establishes the crimes of vehicular homicide and vehicular assault and provides for penalties for those crimes.

It is necessary to veto section 3 of ESB 3106 in order to avoid a double amendment to RCW 46.20.285, which was also amended in a more complete manner in section 15 of Engrossed Substitute House Bill No. 289, a bill that I will sign today.

With the exception of section 3, which I have vetoed, Engrossed Senate Bill No. 3106 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 25, 1983

To the Honorable, The Senate  
of the State of Washington

Ladies and Gentlemen:

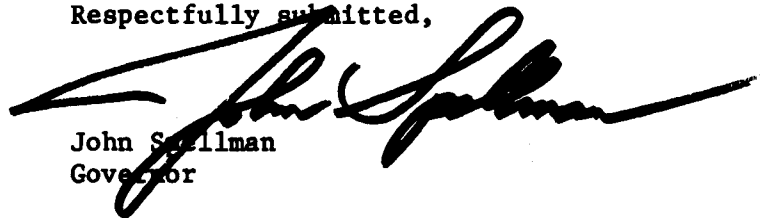
I am returning herewith, without my approval as to section 11, Senate Bill No. 3182, entitled:

"AN ACT relating to financial institutions."

Section 11 of this bill would repeal the banking examination fund and the savings and loan and credit unions examination fund. The monies in those funds, paid by fees from financial institutions, provide the entire operating budget for the Divisions of Banking and of Savings and Loans, Department of General Administration. The funds are essential to the Department's effective regulation of our financial institutions. Because this bill has an emergency clause, those funds would immediately cease to exist, and the Department would have no money to implement this bill or to perform any other related regulatory function. For these reasons, I have vetoed section 11.

With the exception of section 11, which I have vetoed, Senate Bill No. 3182 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

February 22, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 1, 2, 4, 5, 28, 29, 30, and 31 Senate Bill 3258, entitled:

"AN ACT relating to revenue and taxation."

My primary emphasis in examining this bill has been to review its likely impacts on jobs, economic development, and the future of our state. On analysis, parts of this bill, if enacted, would result in the loss of existing jobs and in disincentives to the creation of desperately needed new jobs.

Taken together, Sections 1, 2, 4, and 5 would permanently increase the business and occupation (B&O) tax on services by 100 percent, would permanently increase the B&O tax on most retailers by 7 percent, and would permanently increase the B&O tax on non-retailers and on some retailers by 32 percent. Such increases in B&O taxes at a time when the economy is slow can only be justified by a compelling state need. In my opinion, there is such a compelling need during the remainder of this biennium. Because we have so little time to make up a shortfall in what is already a lean revenue year, taxes for the remainder of this biennium necessarily must be steep. For that reason, I am requesting the legislature to reenact the same tax increases, but on a temporary basis only, so that they expire on June 30, 1983.

But the case has not been made that such increases are justified on a permanent basis. Indeed, the more compelling case is that these permanent tax increases would discourage efforts both to create new jobs during this period of profound unemployment and to recover from the hardest economic times in half a century. They were adopted with little of the thoroughness that usually accompanies the process of establishing biennial revenues. The biennial budget, which ordinarily provides the justification for needed revenues, is only in the early stages of legislative review. In my opinion, any new B&O taxes to be collected in the next biennium must be justified both by being part of an equitable tax package and by a demonstrated need for the overall revenues that the package is expected to produce. I have not been provided with such justifications.


To the Honorable, the Senate  
of the State of Washington  
February 22, 1983  
Page 2

In a similar vein, there needs to be more review of the aircraft excise tax newly imposed by sections 28 through 31 of the bill. A tax of one percent of the value of an airplane, paid each year, is a marked increase compared with the engine tax now imposed. It should not be adopted without a review both of the impact that it would have on businesses that use airplanes and of the possibility that airplane owners would, as a result, register their planes elsewhere.

I have repeatedly stated the perils of trying to pass a single tax package that appropriately meets the revenue needs for both this and the next biennium. This bill is testament to those perils. I urge the legislature to divide the tasks and pass immediately those increases necessary to meet the needs for this biennium. Then we can address the remaining taxes and the budget that are appropriate for the next biennium.

For these reasons I have vetoed sections 1, 2, 4, 5, 28, 29, 30, and 31.

Respectively submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 16, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 12,  
Substitute Senate Bill No. 3433, entitled:

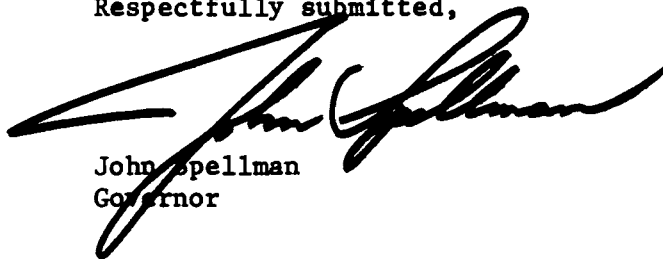
"AN ACT Relating to higher education institutions."

Substitute Senate Bill No. 3433 establishes the Higher Education Facilities Authority to assist the state's independent colleges and universities in the issuance of tax exempt revenue bonds. These bonds, and the expenses of the Authority, are funded by private sources. No public funds are involved.

Section 12 of the bill would require the Authority to adopt rules to ensure the "prevailing rate of wage" for construction projects, as prescribed by RCW 39.12.010. Chapter 39.12 RCW pertains to public works projects paid from public funds. The authority of Substitute Senate Bill No. 3433 pertains to private construction projects funded from non-public sources. Therefore chapter 39.12 RCW does not, and should not, apply.

With the exception of section 12, which I have vetoed, Substitute Senate Bill No. 3433 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 12, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

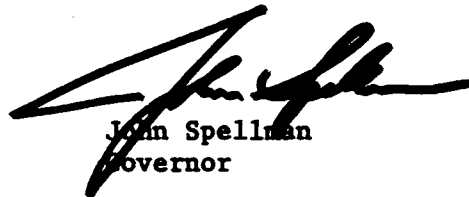
I am returning herewith, without my approval as to one section,  
Substitute Senate Bill No. 3538, entitled:

"AN ACT Relating to the traffic safety commission."

Section 2 of this bill calls for Senate confirmation of the Chairman of the Commission. Senate confirmation of gubernatorial appointees should not be routinely required but should be reserved for major agencies and members of major boards and commissions. It has become obvious that the great number of Senate confirmations now required by law presents an administrative difficulty for both the Senate and the executive branch. More prudent use of Senate confirmation is desirable. Insofar as the Director of the Washington Traffic Safety Commission answers to, and carries out the orders of, the Commission itself, there is sufficient accountability for the Director's performance. For these reasons I have vetoed section 2.

With the exception of section 2, which is vetoed, Substitute Senate Bill No. 3538 is approved.

Respectfully submitted,



John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 17, 1983

To the Honorable, the Senate  
of the State of Washington

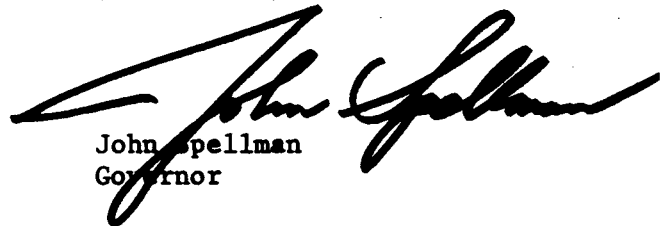
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 1(2)(e),  
Senate Bill No. 3857, entitled:

"AN ACT Relating to emission control inspections for used cars."

Section 1(2)(e) is identical to section 3 of Substitute Senate Bill  
No. 3497, which I have signed into law. In addition, there is some  
question as to whether that provision in this bill is beyond the scope  
of its title. With the exception of section 1(2)(e), which is vetoed,  
Senate Bill No. 3857 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

June 15, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to subsections 44(7), 49(3), and 53(1) of Senate Bill 3909 entitled:

"AN ACT Relating to revenue and taxation."

Subsection 44(7) amends the existing law that defines certain exemptions to the boat tax. Existing law appropriately exempts all vessels under 16 feet in length. This subsection would exempt only those boats under 16 feet in length that have no motors, but tax those boats within that length limitation that have motors. In order to provide for equity and ease of administration, I have vetoed subsection 44(7). The result of my action is a simple exemption for all boats under 16 feet in length.

Subsection 49(3) provides that any local option boat tax shall be payable to the Department of Licensing. A program of state collection and distribution of a nonuniform local option tax is fraught with administrative problems for both state and local governments. I have vetoed this subsection so that the collection of any local option boat tax becomes the responsibility of local government.

Subsection 53(1) requires that one-half of any boat tax paid under existing law (SB 3258; now Chapter 7, Laws of 1983) be applied as a credit against the taxes now due under this measure. The existing law, by its own terms, will not become effective until June 30, 1983. This measure negates the tax specified by that law. Because some boat owners have already tendered payment for that tax, which will not now come into effect, they should receive a refund of their entire payment, rather than just a credit for one-half of that payment. The Departments of Revenue and Licensing can make the necessary refunds pursuant to RCW 43.01.072.

With the exceptions noted above, Senate Bill 3909 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 23, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Engrossed Senate Bill No. 3991, entitled:

"AN ACT Relating to tolls on the Hood Canal bridge."

This bill would set statutory tolls for crossing the Hood Canal bridge. This function is more appropriately performed by the Transportation Commission, which has such authority and has in fact just lowered the tolls for the bridge to amounts identical to those contained in this bill. This bill is thus both unwise and unnecessary, and so I have vetoed it.

Respectfully submitted,

  
John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 22, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to one section,  
Substitute Senate Bill No. 4034, entitled:

"AN ACT Relating to motor vehicle and special fuels" and adding a  
new section to chapter 9.04 RCW; prescribing penalties; and  
declaring an emergency.

This worthy bill will protect gasoline consumers by prohibiting deceptive  
advertising of gasoline prices. Section 2, however, which would make  
the bill effective immediately, could cause affected gasoline dealers to  
be in violation of the law without knowing it. In order to give those  
people fair warning of the new provisions in this bill, I have vetoed  
section 2.

With the exception of section 2, which I have vetoed, Substitute Senate  
Bill No. 4034 is approved.

Respectfully Submitted,

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

June 14, 1983

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 4059, entitled:

"AN ACT Relating to the central stores revolving fund."

This bill would impose excessive, unnecessary, and expensive controls over the Central Stores Revolving Fund. I believe that existing procedures for administration of this fund are adequate.

In addition, the funding limitations contained in the bill would reduce the capacity of the state to handle telecommunications purchases. I believe the state will need more, not less, telecommunications expertise, particularly in view of recent court decisions affecting the telephone industry.

For these reasons, I have vetoed Substitute Senate Bill No. 4059.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

May 16, 1983

To the Honorable, the Senate  
of the State of Washington

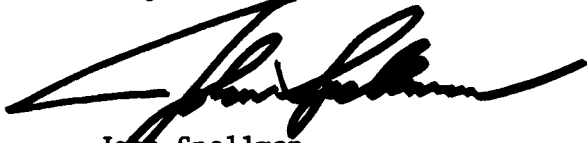
Ladies and Gentlemen:

I am returning herewith without my approval Substitute Senate Bill  
No. 4092, entitled:

"AN ACT Relating to insurance reporting."

This bill would establish a legislative committee to study various  
aspects of insurance laws. My sole objection to the bill is that it  
unnecessarily creates such an entity in statute. As this is entirely a  
legislative committee, the legislature has its own internal authority to  
study such matters, without need of a statute. I have therefore vetoed  
Substitute Senate Bill No. 4092.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

May 17, 1983

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to portions of sections 2 and 5, Senate Bill No. 4204, entitled:

"AN ACT Relating to the state board of health."

The proviso in Section 2 (11) could be interpreted as a prohibition against the creation of new health care facilities with annual operating budgets over \$500,000, regardless of the need for such facilities as determined by the certificates-of-need program. Such a prohibition would ignore the purpose of the certificate-of-need program.

Section 5 would require the Board of Health to perform the current functions of the State Health Coordinating Council. If the State Health Coordinating Council's functions are assumed by the Board of Health, Federal regulations will be violated, and Federal funds may be jeopardized. The Federal government requires that Council functions be performed by a body having majority representation of consumers, which the Board would not have.

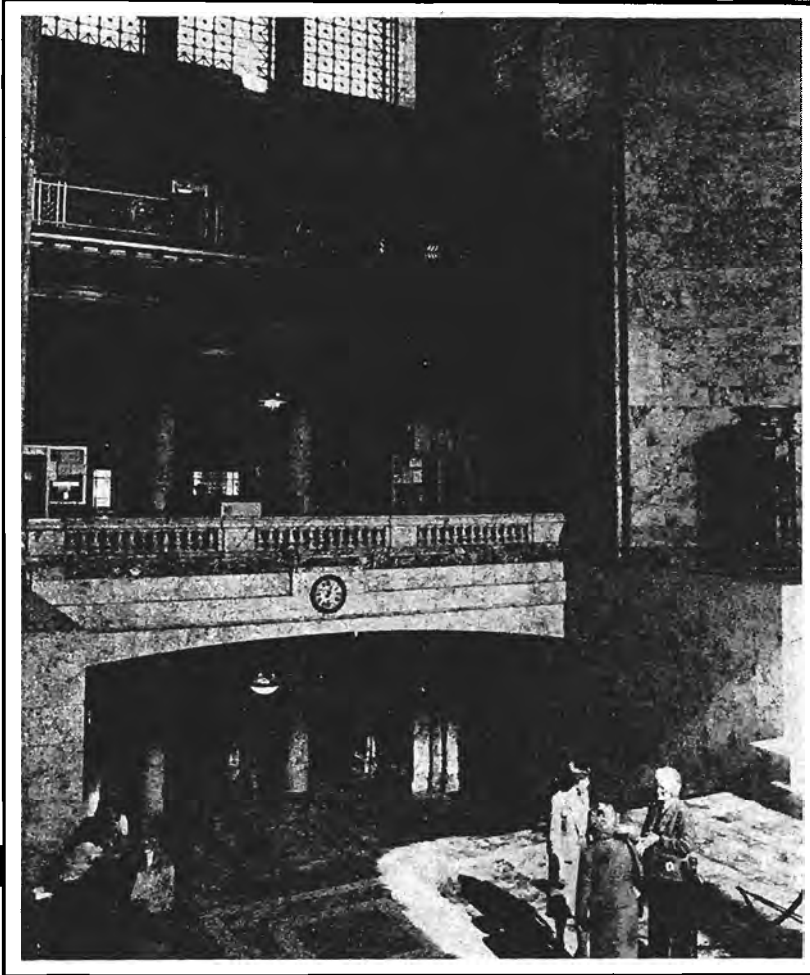
With the exceptions noted above, which I have vetoed, Senate Bill No. 4204 is approved.

Respectfully submitted,



John Spellman  
Governor

# SUNSET LEGISLATION





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## Sunset Legislation

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### BACKGROUND

In accordance with the provisions of the Washington Sunset Act of 1977, the Legislative Budget Committee submitted to the 48th Legislature 22 sunset reports. Those reports, covering the 22 agencies or programs scheduled for termination on June 30, 1983, were referred to appropriate House and Senate standing committees (designated by the Act as "committees of reference") for review.

The standing committees held joint hearings, as required by the Act, and heard testimony from persons interested in the audited agency or program. Each respective committee, at its discretion, could introduce legislation, hold additional hearings or simply take no further action. Independent of committee action, individual legislators could also introduce legislation regarding the entities scheduled for termination.

### SESSION SUMMARY

As a result of the 1983 sunset process, six entities were allowed to terminate.

A total of 16 entities will be continued or modified. The 48th Legislature assigned 40 entities to the sunset termination schedule for the future. The sunset process itself was also modified as a result of SHB 39.

### AGENCIES CONTINUED OR MODIFIED

#### BARBERING AND MEN'S HAIRSTYLING

SSB 3081. The agency is continued until June 30, 1984.  
(Further sunset review is not required.)

Modifications: The Department of Licensing is required to study the feasibility of combining the licensing and regulation of barbering and cosmetology.

Status: C 75 L 83

Committee: Commerce and Labor

#### COSMETOLOGY

SSB 3088. The agency is continued until June 30, 1984.  
(Further sunset review is not required.)

Modifications: The Department is required to study the feasibility of combining the licensing and regulation of barbering and cosmetology.

Status: C 208 L 83

Committee: Commerce and Labor

#### EASTERN WASHINGTON HISTORICAL SOCIETY STATE CAPITOL HISTORICAL ASSOCIATION WASHINGTON STATE HISTORICAL SOCIETY OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

SHB 81. The agencies are continued until June 30, 1993.

Modifications: A Washington State Heritage Council is created to coordinate the operations and activities of these historical agencies.

Status: C 91 L 83

Committee: State Government

#### SNOWMOBILE ADVISORY COUNCIL

EHB 180. The council is continued to June 30, 1989.

Modifications: None

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## Sunset Legislation

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Status: C 139 L 83

Committee: Parks and Ecology

### STATE BOARD OF HEALTH

SB 4204. The agency is continued until June 30, 1985.

Modifications: The Board is subject to fiscal review by both House and Senate State Government Committees along with a sunset review.

Status: C 235 L 83 PV

Committee: State Government

### WASHINGTON STATE COMMISSION FOR THE BLIND

SHB 452. The department is continued until June 30, 1987.

Modifications: The Commission for the Blind is changed to the Department of Services for the Blind. The department is required to carry out the previous duties of the commission. The department is authorized to contract and disburse certain federal and state funds.

Status: C 194 L 83

Committee: State Government

### ASIAN AMERICAN AFFAIRS COMMISSION

HB 146. The program is continued until June 30, 1988.

Modifications: Added emphasis is given on increasing opportunities for Asians isolated by economic, linguistic, and cultural barriers.

Status: C 119 L 83

Committee: State Government

### WASHINGTON STATE SCHOOL DIRECTORS ASSOCIATION

HB 300. The agency is continued until June 30, 1989.

Modifications: None

Status: C 187 L 83

Committee: Education

### VETERINARY BOARD OF GOVERNORS

HB 357. The agency is removed from the sunset process and is continued indefinitely.

Modifications: Animal technicians are subject to the board and the powers of censure are expanded.

Status: C 102 L 83

Committee: Agriculture

### MUNICIPAL RESEARCH COUNCIL

SHB 47. The Council is continued until June 30, 1989.

Modifications: None

Status: C 22 L 83

Committee: Local Government

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## Sunset Legislation

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### DEPARTMENT OF LABOR AND INDUSTRIES, CONTRACT AND REGISTRATION PROGRAM

SSB 3053. The agency is continued indefinitely and removed from the sunset process.

Modifications: None

Status: C 74 L 83

Committee: Commerce and Labor

### WASHINGTON ARCHAEOLOGICAL RESEARCH CENTER

SB 4088. The agency is removed from the sunset process and is continued indefinitely.

Modifications: None

Status: C 159 L 83

Committee: State Government

### TRAFFIC SAFETY COMMISSION

SB 3538. The Commission is removed from the sunset process and continued indefinitely.

Modifications: The Commission no longer requires counties and municipalities to prepare a comprehensive traffic safety plan.

Status: C 14 L 83 E1 PV

Committee: Transportation

### AGENCIES TERMINATED

#### CRIMINAL JUSTICE PLANNING AGENCY

Scheduled for termination on July 1, 1983.

Committee: Judiciary

#### DIVISION OF CRIMINAL JUSTICE

Scheduled for termination on July 1, 1983.

Committee: Judiciary

#### ECONOMIC ASSISTANCE AUTHORITY

Scheduled for termination on June 30, 1983.

Committee: Commerce and Labor

#### PLANNING AND COMMUNITY AFFAIRS AGENCY

Scheduled for termination on June 30, 1983.

Committee: State Government

#### WASHINGTON STATE PUBLIC BROADCASTERS COMMISSION

Scheduled for termination on June 30, 1983.

Committee: Education

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## Sunset Legislation

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### STATE ADVISORY COMMITTEE TO DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Scheduled for termination on June 30, 1983.

Committee: Social and Health Services

#### AGENCIES OR PROGRAMS PLACED ON THE SUNSET TERMINATION SCHEDULE BY THE 48TH LEGISLATURE

##### June 30, 1985

Museum of the University of Washington  
Council for Postsecondary Education  
Department of Commerce and Economic Development  
State Arts Commission  
National Guard Educational Assistance Program  
Washington Library Network  
Regulation of Landscape Architects  
State Board of Health  
Program for Victims of Sexual Assault

(As a result of previous legislation, this agency is also scheduled for termination in 1985.)

##### June 30, 1986

Fairs Commission  
Interim Committee on Public Employees Collective Bargaining  
Public Disclosure Commission  
Vehicle Inspection Program  
Commission on Vocational Education  
Educational Services Registration Act  
Statutes relating to minimum salaries of state employees, toll logging roads, boom companies, log driving companies, bridging ditches across highways, and the Training Standards and Education Boards under the Criminal Justice Training Act  
State Board of Accountancy

##### June 30, 1987

Chiropractic Disciplinary Board  
Midwifery Advisory Committee  
Nursing Home Advisory Council  
Emergency Medical Services Committee  
Judiciary Council  
Regulation of drugless healing, notaries public and commissioners of deeds, and nurses  
Department of Services for the Blind

##### June 30, 1988

Asian American Affairs

##### June 30, 1989

Municipal Research Council  
Washington State School Directors Association  
Snowmobile Advisory Council

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## Sunset Legislation

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June 30, 1993

Eastern Washington Historical Society  
State Capitol Historical Society  
Office of Archaeology and Historic Preservation  
Washington State Heritage Council  
Advisory Council on Historic Preservation  
Washington State Historical Society

### MAJOR SUNSET RELATED LEGISLATION

SHB 493. Legislation recommended by Select Joint Committee on Sunset to establish a new sunset termination schedule for 1984 through 1987. In total, the bill scheduled 27 agencies for sunset termination and review.

SHB 39. Modified sunset review procedure regarding sunset audits, joint hearings and agency or program "wind-down" periods.

SSB 3230. Office of Minority and Women's Business Enterprises. The Select Joint Committee on Sunset shall conduct a preliminary sunset and fiscal review of the program to determine if the program should be subject to full sunset review. This preliminary review is to be completed and a report prepared by June 30, 1990.

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# BUDGET HIGHLIGHTS



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State General Fund Revenue and Expenditure Reconciliation — 1983-85 Biennium

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		(Dollars in Millions)
BEGINNING FUND BALANCE	July 1, 1983	\$ 0.0
 REVENUE		
	Current Law	6,777.0
	ESB 3258 as passed Legislature	1,746.9
	Adjustments	
	Governor's Veto	\$(521.2)
	Elimination of Chargeback	(260.9)
	Revised Revenue Projections	( 78.6)
	Sales Tax on Government Contracts	<u>25.0</u>
		<u>(835.7)</u>
	SUBTOTAL	\$7,688.2
	ESB 3909 as amended	412.6
	Other revenue legislation	3.3
	Loan cost savings	<u>25.0</u>
	TOTAL REVENUE	\$8,129.1
 EXPENDITURES		
	Operating Budget	\$8,022.7
	Expenditures in other legislation	<u>35.5</u>
	TOTAL EXPENDITURES	\$8,058.2
	 ESTIMATED ENDING FUND BALANCE	 \$ 70.8
	June 30, 1985	

## Revenue Legislation — 1983-85 Biennium

(\$ in thousands)

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	GENERAL FUND TOTAL	OTHER FUNDS	TOTAL
HB 1	Unemp benefits extended					\$ 494	\$ 494
HB 56	Higher Ed/Capital Bonds					11,300	11,300
HB 57	St Bldgs & Fac/Bonds					104,400	104,400
HB 58	Fisheries Fac/Bonds					1,200	1,200
HB 59	Apprenticeship/Agrmt Fees	\$ (635)			\$ (635)		(635)
HB 63	Licensed Practical Nurses	7			7		7
HB 64	Hazardous Waste Penalties	81			81		81
HB 72	Tax provisions/misc	(1,491)			(1,491)		(1,491)
HB 83	Higher Ed Pers. Brd Mtgs.					(1)	(1)
HB 102	Voc Rehab/Injured Workers					9,605	9,605
HB 107	Self-ins/Hosp, School Dis.					10,987	10,987
HB 118	Agricultural fees	162			162		162
HB 179	Uniform Unclaimed Prop Act.	3,000			3,000		3,000
HB 198	Hearing Aids/Regulating	6			6		6
HB 233	Anadromous Game Fish					133	133
HB 235	Gas Tax Provisions 83-85					180,550	180,550
HB 251	State Employ & Conserv Corp			\$ 248	248		248
HB 260	Criminal Records/Fees	445			445		445
HB 289	DWI/License Revocation	556			556	810	1,366
HB 295	Bimonthly payroll	(3,023)			(3,023)	(2,031)	(5,054)
HB 348	Corporation Laws	156			156		156
HB 357	Veterinary Board Provisions	5			5		5
HB 359	Health Professions Guideline	66			66		66
HB 371	Health Care Service Contract	343			343		343
HB 420	Cemetery Brd/Cert of Auth					30	30
HB 436	Wood Collection Fees/Over 65					(3)	(3)
HB 452	Blind Persons Provisions		\$ 117		117		117
HB 466	Inventory Taxes	(600)			(600)		(600)
HB 482	MV Lic Plates/Standards					1,700	1,700
HB 539	Transit for Elderly/Fuel tax					(168)	(168)
HB 588	Jail Improvement					13,100	13,100
HB 653	Livestock Markets					13	13

Revenue Legislation — 1983-85 Biennium

(\$ in thousands)

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	GENERAL FUND TOTAL	OTHER FUNDS	TOTAL
HB 674	Columbia River/Sturgeon	\$ (6)			\$ (6)		(6)
HB 712	Hazardous Waste	4,300			4,300	1,524	5,824
HB 765	Workers' Comp/Injured Worker					23	23
HB 793	Agricultural Commodities					1	1
HB 817	Industrial Accidents/Damage					1,128	1,128
SB 3052	Elevators, Moving Walks	10			10		10
SB 3054	Plumber Certification					94	94
SB 3067	Fuel Tax	(50)			(50)		(50)
SB 3081	Barber Regulation	27			27		27
SB 3085	Unemployment Comp Payments					269	269
SB 3087	Unemployment Insurance					277	277
SB 3088	Cosmetology Regulation	40			40		40
SB 3097	Motor Vehicle Fees					730	730
SB 3127	Industrial Insurance Awards					(1,600)	(1,600)
SB 3134	Special Fuels License Fees					107	107
SB 3144	Special Fuel Trip Permits					406	406
SB 3188	Timeshare Offerings	233			233		233
SB 3211	Aircraft Fuel Taxes					584	584
SB 3239	Cold Storage Warehouse	(59)			(59)		(59)
SB 3244	Excise Taxes	(831)			(831)		(831)
SB 3258	Modifying 81-83 Taxes	964,800			964,800		964,800
SB 3272	Coroners' System					1,800	1,800
SB 3290	Aquatic Land Lease					(314)	(314)
SB 3308	Home Health Care Coverage		6		6		6
SB 3314	OASI Revolving Fund	(20)			(20)	20	0
SB 3390	Personalized Licenses					131	131
SB 3413	Park Surcharge					25	25
SB 3480	Entertainers, Indust. Insur.					58	58
SB 3628	Hood Canal Shrimp	100			100		100
SB 3642	Charitable Solicit	60			60		60
SB 3660	DSHS Powers	16	16		32		32

## Revenue Legislation — 1983-85 Biennium

(\$ in thousands)

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	GENERAL FUND TOTAL	OTHER FUNDS	TOTAL
SB 3782	Firearms	\$ 649			\$ 649		\$ 649
SB 3857	Used Car Air Pollution	(228)			(228)		(228)
SB 3909	Revenue and Taxation	412,700			412,700		412,700
SB 4107	Model Litter Control					30	30
SB 4112	Vehicle Size & Load					(324)	(324)
SB 4153	Veterans' Plates	(64)			(64)	(35)	(99)
SB 4156	Wheelchair Fish Lic.					(2)	(2)
TOTAL REVENUE LEGISLATION		\$ 1,380,755	\$ 139	\$ 248	\$ 1,381,142	\$ 337,051	\$ 1,718,193

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Bond Authorization Legislation — 1983-85 Biennium

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(\$ in thousands)

<u>BILL NUMBER</u>	<u>PURPOSE</u>	<u>AMOUNT AUTHORIZED</u>
HB 56	Higher Education/Community College Construction	\$ 11,250
HB 57	State Government Construction	104,415
HB 58	Fisheries Construction	1,165
HB 588	Jail Improvement Construction	13,800
		<hr/>
		\$ 130,630

## Appropriation Legislation — 1983-85 Biennium

(\$ in thousands)

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	GENERAL FUND TOTAL	OTHER FUNDS	TOTAL
HB 51	Post-retirement	\$ 3,561			\$ 3,561	39	\$ 3,600
HB 55	Capital Budget		\$ 2,897		2,897	\$ 391,631	394,528
HB 81	State Heritage	23			23		23
HB 226	Export Assistance	206			206		206
HB 231	Job Skill	3,500			3,500		3,500
HB 234	Transportation Budget	680	6,648	198	7,526	1,470,184	1,477,710
HB 251	Conservation Corp.	2,000			2,000		2,000
HB 295	Bimonthly Payroll	1,121	559	13	1,693	807	2,500
HB 466	Property Tax	6,700			6,700		6,700
HB 470	UW Bldg. Acct.	**					**
HB 595	Selah Reservoir					14,500	14,500
HB 605	Trade/Convention Center					2,024	2,024
HB 712	Hazardous Waste	4,300			4,300		4,300
HB 1079	Operating Budget	8,022,741	1,733,002	32,421	9,788,164	3,256,840*	13,045,004
HB 1089	China Exhibition	45			45		45
SB 3155	High Tech	10,558			10,558		10,558
SB 3163	Japanese-American Rep	160			160		160
SB 3188	Timeshare	130			130		130
SB 3272	Death Investigations					1,032	1,032
SB 3390	Personal Licenses					121	121
SB 3595	Veteran Services	49			49		49
SB 3642	Charitable Solicitations	52			52		52
SB 3780	Nursing Homes	1,710	1,650		3,360		3,360
SB 3909	Revenue & Tax	79			79		79
SB 4102	Math/Science Teachers	500			500		500
SB 4245	Hazardous Waste	50			50	100	150
TOTAL NEW APPROPRIATIONS		\$8,058,165	\$1,744,756	\$ 32,632	\$ 9,835,553	\$5,137,278	\$14,972,831
TOTAL REAPPROPRIATIONS		332	378		710	333,389	334,099
TOTAL APPROPRIATIONS		\$8,058,790	\$1,745,134	\$ 32,632	\$ 9,837,263	\$5,470,467	\$15,306,930

\*Includes \$707,534 in non-appropriated funds.

\*\*HB 470 UW Bldg. Account may require up to \$3.3 million in General Fund State, if UW Bldg Account funds are insufficient.

Washington State 1983-85 Operating Budget — Total Washington State

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
LEGISLATIVE	44,672	51,038	14.25				307	1,978	544.30	44,979	53,016	17.87
JUDICIAL	34,204	40,843	19.41	6			1,059	2,689	153.94	35,269	43,533	23.43
GENERAL GOVERNMENT	89,067	113,163	27.05	6,141	60,327	882.33	271,846	475,204	74.81	367,054	648,693	76.73
HUMAN RESOURCES	1647,282	2031,279	23.31	1131,710	1392,999	23.09	479,191	412,584	-13.90	3258,183	3836,863	17.76
NATURAL RESOURCES	116,878	137,453	17.60	20,728	31,814	53.49	307,077	712,044	131.88	444,683	881,311	98.19
TRANSPORTATION	23,210	24,869	7.15	8,941	6,674	-25.36	512,533	631,231	23.16	544,684	662,773	21.68
TOTAL EDUCATION	4177,812	4952,575	18.54	202,885	249,684	23.07	759,921	689,036	-9.33	5140,617	5891,295	14.60
PUBLIC SCHOOLS	3102,439	3573,405	15.18	185,053	221,579	19.74	20,221	17,742	-12.26	3307,712	3812,726	15.27
COMM COLLEGES	381,866	447,313	17.14	271	9	-96.86	41,939	43,354	3.37	424,075	490,675	15.70
HIGHER EDUCATIO	662,303	885,368	33.68				678,456	618,497	-8.84	1340,759	1503,865	12.17
EDUCATION OTHER	31,205	46,489	48.98	17,561	28,097	60.00	19,306	9,444	-51.08	68,071	84,029	23.44
SPECIAL APPROP	635,826	706,944	11.19	302	80	-73.61	722,434	933,482	29.21	1358,562	1640,506	20.75
TOT WASHINGTON ST	6768,950	8058,164	19.05	1370,714	1741,577	27.06	3054,368	3858,248	26.32	11194,032	13657,990	22.01

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO PROGRAM AREAS ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS



## Washington State 1983-85 Operating Budget — Legislative and Judicial

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
TOTAL LEGISLATIVE	44,672	51,038	14.25				307	1,978	544.30	44,979	53,016	17.27
HOUSE OF REP	20,836	22,425	7.63							20,836	22,425	7.63
SENATE	16,864	20,111	19.26							16,864	20,111	19.26
LEGIS BUDGET CO	1,226	1,387	13.13							1,226	1,387	13.13
LEGIS TRANSPORT								1,628			1,628	
LEAP COMMITTEE	1,091	1,531	40.34							1,091	1,531	40.34
STATE ACTUARY	278	346	24.24							278	346	24.24
STATUTE LAW COM	4,378	5,239	19.67				307	350	14.01	4,685	5,589	19.30
TOTAL JUDICIARY	34,204	40,843	19.41	6			1,059	2,689	153.94	35,269	43,533	23.43
SUPREME COURT	6,199	7,218	16.44				479	1,378	187.68	6,678	8,596	28.73
LAW LIBRARY	1,594	2,061	29.31							1,594	2,061	29.31
COURT OF APPEAL	7,794	9,165	17.59				98			7,892	9,165	16.13
COURT ADMR	18,226	21,969	20.54	6			482	1,311	172.03	18,714	23,281	24.40
JUDICIAL COUNCI	140									140		
JUDICIAL QUAL C	252	431	71.14							252	431	71.14
<b>TOTAL LEG &amp; JUD</b>	<b>78,876</b>	<b>91,882</b>	<b>16.49</b>	<b>6</b>			<b>1,366</b>	<b>4,667</b>	<b>241.67</b>	<b>80,248</b>	<b>96,549</b>	<b>20.31</b>

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS.

DOLLARS IN THOUSANDS

## Washington State 1983-85 Operating Budget — General Government

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
OFF OF GOV	3,250	3,548	9.14				32			3,282	3,548	8.08
LT GOVERNOR	228	252	10.66							228	252	10.66
SECRETARY OF ST	4,422	5,062	14.46				1,187	1,339	12.81	5,609	6,401	14.11
MEXICAN-AM AFFA	106	126	19.53							106	126	19.53
ASIAN-AM ADV CN	105	128	21.87							105	128	21.87
INDIAN ADVISORY	105	127	20.40							105	127	20.40
STATE TREASURER	46						5,416	7,175	32.47	5,462	7,175	31.35
STATE AUDITOR	1,792	620	-65.41	326	411	26.27	16,735	21,203	26.70	18,852	22,234	17.94
ATTORNEY GENERA	4,078	4,400	7.91		1		20,023	26,336	31.53	24,101	30,737	27.54
OFF FINANCIAL M	11,204	12,965	15.72	1,952	615	-68.49	79	2,290	xxx.xx	13,235	15,870	19.91
INVESTMENT BOAR							1,097	1,303	18.82	1,097	1,303	18.82
DEPT OF PERSONN		160					9,277	10,391	12.00	9,277	10,551	13.72
PERSONNEL APPEA							627	792	26.37	627	792	26.37
DATA PROCESS AU	399						431	900	109.08	829	900	8.55
DEFER COMP COMM	29							62		29	62	113.79
DEPT OF REVENUE	36,471	50,882	39.52				3,587	3,720	3.70	40,058	54,602	36.31
TAX APPEALS BRD	877	1,026	16.97							877	1,026	16.97
DEPT OF GEN ADM	6,553	6,262	-4.44				24,137	27,592	14.32	30,690	33,254	10.31
INSURANCE COMMR	7,106	8,079	13.70				338			7,444	8,079	8.54
PUB DISCLOSURE	869	995	14.44							869	995	14.44
DEPT RETIREMENT	56						9,378	10,726	14.37	9,435	10,726	13.68
MUN RESEARCH CN	1,197	1,495	24.91							1,197	1,495	24.91
ST BRD OF ACCTN	575	301	-47.58					351		575	652	13.51
BOXING COMMISSI	62	75	21.68							62	75	21.68
CEMETERY BOARD							76	75	-1.45	76	75	-1.45
HORSE RACING CO							2,147	2,882	34.27	2,147	2,882	34.27
GAMBLING COMM							5,012	5,920	18.12	5,012	5,920	18.12
LIQUOR CONTROL							73,907	86,976	17.68	73,923	86,976	17.66
PHARMACY BOARD	16						20			994	1,100	10.62
UTILITY & TRANS	975	1,100	12.84				16,032	18,677	16.50	16,041	18,677	16.43
VOL FIREMEN BOA	9						142	167	17.28	142	167	17.28
DEPT EMERGENCY	1,040	783	-24.73	2,264	3,883	71.50	539	10	-98.12	3,843	4,676	21.68
MILITARY DEPT	6,230	7,048	13.12	1,599	1,768	10.56				7,829	8,816	12.60
PUB EMPL REL CO	1,163	1,449	24.63							1,163	1,449	24.63
LOTTERY COMMISS							78,444	238,746	204.35	78,444	238,746	204.35
UNIFORM LEG COM	3									3		
PRESIDENTIAL EL		1									1	
ECON & COMM DEV		4,708			53,649			300			58,657	
FORECAST COUNCI		804									804	
MINORITY & WOM		768									768	
DEATH INVESTIG								5			5	
PROSECUTORS TRA								30			30	
ADMIN HEARINGS	101						3,187	7,237	127.11	3,287	7,237	120.15
STATE WOMENS CN												
<b>GENERAL GOVERNMENT</b>	<b>89,067</b>	<b>113,163</b>	<b>27.05</b>	<b>6,141</b>	<b>60,327</b>	<b>882.33</b>	<b>271,846</b>	<b>475,204</b>	<b>74.81</b>	<b>367,054</b>	<b>648,693</b>	<b>76.73</b>

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS. DOLLARS IN THOUSANDS

## Washington State 1983-85 Operating Budget — Human Resources

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
DEPT OF CORRECTIO	215,894	285,045	32.03		700		1,470	865	-41.18	217,364	286,610	31.86
DEPT SOC & HLTH S	1394,086	1707,301	22.47	1044,008	1198,139	14.76	76,036	47,491	-37.54	2514,130	2952,931	17.45
VETERANS AFFAIRS	14,743	16,283	10.45		2,256		3,492	3,439	-1.52	18,235	21,979	20.53
PLAN & COMM AFFAI	4,232	2,791	-34.04	10,299	53,579	420.22	73,327			87,858	56,370	-35.84
HUMAN RIGHTS COMM	2,505	3,022	20.66	550	957	73.82	343			3,398	3,979	17.09
IND INS APPEALS B	33		-99.39				4,880	6,122	25.46	4,912	6,122	24.63
CRIM JUST TRNG CH	50						5,408	6,092	12.64	5,458	6,092	11.62
DEPT L & I	7,865	5,935	-24.54	3			86,956	114,985	32.23	94,825	120,920	27.52
PRISON TERMS & PA	2,256	3,028	34.22							2,256	3,028	34.22
HOSPITAL COMM	472	369	-21.78	116			920	1,111	20.79	1,508	1,480	-1.86
DEPT EMPLOY SECUR	1,878	4,690	149.73	73,021	133,901	83.37	118,786	118,750	- .03	193,685	257,341	32.87
COMM FOR BLIND	2,438	1,723	-29.34	3,712	3,468	-6.58	396	597	50.61	6,546	5,787	-11.60
JAIL COMMISSION	648	531	-18.04				107,177	113,133	5.56	107,825	113,664	5.42
SENTENCING COMM	254	560	120.64							254	560	120.64
CORRECTIONS STDS	-70									-70		
TOT HUMAN RESOURC	1647,282	2031,279	23.31	1131,710	1392,999	23.09	479,191	412,584	-13.90	3258,183	3836,863	17.76

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS

Washington State 1983-85 Operating Budget — Dept. of Social & Health Services

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
JUVENILE REHABI	57,908	68,968	19.10	725	842	16.06	154			58,787	69,810	18.75
MENTAL HEALTH	155,372	198,554	27.79	18,034	18,335	1.67	771	278	-63.88	174,177	217,168	24.68
DEVELOPMENTAL D	135,535	158,439	16.90	83,137	108,121	30.05	4,814		100.00	223,487	266,560	19.27
INCOME MAINTENA	299,925	359,127	19.74	273,106	314,381	15.11				573,031	673,509	17.53
COMMUNITY SOCIA	110,677	84,142	-23.98	62,458	23,918	-61.71	6,475	91	-98.59	179,609	108,151	-39.79
MEDICAL ASSISTA	269,579	358,388	32.94	201,511	231,464	14.86				471,090	589,852	25.21
PUBLIC HEALTH	33,389	39,424	18.08	45,925	53,333	16.13	49,006	46,944	-4.21	128,319	139,701	8.87
VOCATIONAL REHA	15,178	14,307	-5.74	26,450	25,852	-2.26				41,628	40,160	-3.53
ADMIN SUPPORTIN	47,341	56,308	18.94	26,301	41,477	57.70	9,581	75	-99.22	83,223	97,859	17.59
COMMUNITY SERVI	105,579	138,810	31.47	134,253	143,828	7.13	5,069	102	-97.99	244,901	282,740	15.45
REVENUE COLLECT	9,289	12,100	30.26	19,679	23,598	19.92	167			29,135	35,698	22.53
LONG TERM CARE		218,734			212,991						431,724	
NURSING HOMES	154,314			152,431						306,745		
DEPT OF SOCIAL &	1394,086	1707,301	22.47	1044,008	1198,139	14.76	76,036	47,491	-37.54	2514,130	2952,931	17.45

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO PROGRAMS ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS

## Washington State 1983-85 Operating Budget — Natural Resources

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
STATE ENERGY OF	1,004	1,143	13.84	1,826	13,059	615.19	3,216	60	-98.13	6,046	14,262	135.90
COLUMBIAN GORGE C	75	76	1.60				49	67	36.79	124	144	15.54
DEPT OF ECOLOGY	17,504	25,745	47.08	12,150	10,078	-17.05	112,589	484,599	330.41	142,243	520,422	265.87
ENVIRON HEARING	608	727	19.62							608	727	19.62
ENERGY FAC SITE							3,780	3,502	-7.36	3,780	3,502	-7.36
PARKS & RECREAT	24,425	28,672	17.39	68			7,615	10,081	32.39	32,108	38,753	20.69
ARCH HIST PRESE	232	334	13.58	212	912	330.09	620		100.00	1,114	1,246	11.90
OUTDR RECREATIO							13,610	16,062	18.02	13,610	16,062	18.02
COMM & EC DEVEL	8,029	3,379	-57.92	180			1,870	303	-83.81	10,079	3,681	-63.48
DEPT OF FISHERI	33,631	39,400	17.15	4,737	6,664	40.67	7,903	2,124	-73.13	46,272	48,189	4.14
DEPT OF GAME	15						42,159	50,213	19.10	42,175	50,213	19.06
NATURAL RESOURC	22,452	27,050	20.48	805	462	-42.55	84,345	105,532	25.12	107,602	133,045	23.65
DEPT OF AGRICUL	8,484	10,391	22.48	698	639	-8.49	28,340	37,098	30.90	37,522	48,128	28.27
WINTER REC COMM	28									28		
CONSERVATION CO	273	308	12.62	52			202			528	308	-41.65
ST CONVENT/TRAD							779	2,031	160.69	779	2,031	160.69
LAPSED PROGRAMS								372			372	
WASH CENTENNIAL	25	228	810.80							25	228	810.80
OCEANOGRAPHIC C	1									1		
ENVIRONTL POLIC	41									41		
<b>NATURAL RESOURCES</b>	<b>116,878</b>	<b>137,453</b>	<b>17.60</b>	<b>20,728</b>	<b>31,814</b>	<b>53.49</b>	<b>307,077</b>	<b>712,044</b>	<b>131.88</b>	<b>444,683</b>	<b>881,311</b>	<b>98.19</b>

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS

## Washington State 1983-85 Operating Budget — Transportation

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
STATE PATROL	11,855	11,707	-1.25	74			92,305	104,721	13.45	104,234	116,428	11.70
TRAFFIC SAFETY							7,333	6,027	-17.82	7,333	6,027	-17.82
DEPT OF LICENSI	10,123	12,478	23.26				65,460	79,122	20.87	75,583	91,600	21.19
CNTY ROAD ADMIN							259	12,791	***.xx	259	12,791	***.xx
BRD PILOTAGE CO							55	72	30.73	55	72	30.73
DEPT OF TRANSP	1,233	683	-44.62	8,867	6,674	-24.74	322,597	363,824	12.78	332,697	371,180	11.57
URBAN ARTERIAL							24,524	64,226	161.89	24,524	64,226	161.89
TRANSPORTATION		2						397			399	
MARINE EMPLOYEE								50			50	
<b>TOT TRANSPORTATIO</b>	<b>23,210</b>	<b>24,869</b>	<b>7.15</b>	<b>8,941</b>	<b>6,674</b>	<b>-25.36</b>	<b>512,533</b>	<b>631,231</b>	<b>23.16</b>	<b>544,684</b>	<b>662,773</b>	<b>21.68</b>

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS

## Washington State 1983-85 Operating Budget — Education

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
PUBLIC SCHOOLS	3102,439	3573,405	15.18	185,053	221,579	19.74	20,221	17,742	-12.26	3307,712	3812,726	15.27
COMM COLLEGE TOTA	381,866	447,313	17.14	271	9	-96.86	41,939	43,354	3.37	424,075	490,675	15.70
HIGHER EDUCATION	662,303	885,368	33.68				678,456	618,497	-8.84	1340,759	1503,865	12.17
UNIV OF WASH	296,569	417,096	40.64				538,171	508,637	-5.49	834,739	925,733	10.90
WASH STATE UNIV	176,680	238,630	35.06				108,170	83,923	-22.42	284,850	322,553	13.24
EASTERN WASH UN	55,042	69,362	26.02				9,928	7,897	-20.45	64,970	77,259	18.92
CENTRAL WASH UN	49,187	58,531	19.00				8,110	7,740	-4.56	57,297	66,271	15.66
THE EVERGREEN S	25,443	30,032	18.04				2,494	2,146	-13.94	27,937	32,178	15.18
WESTERN WASH UN	59,382	71,718	20.77				11,584	8,152	-29.63	70,966	79,870	12.55
EDUCATION OTHER	31,205	46,489	48.98	17,561	28,097	60.00	19,306	9,444	-51.08	68,071	84,029	23.44
COMPACT FOR EDU	61									61		
CNCL POSTSEC ED	20,061	28,227	40.71	3,604	3,530	-2.03	39	40	1.78	23,704	31,797	34.14
PUBLIC BROADCAST	126	4	-96.99	64						190	4	-98.00
COMM FOR VOC ED	1,552	5,524	255.98	10,910	21,442	96.54	10,865		100.00	23,326	26,966	15.60
HE PERSONNEL BR	130						1,258	1,339	6.48	1,387	1,339	-3.48
STATE LIBRARY	6,619	7,600	14.82	2,147	2,324	8.25	6,746	7,821	15.94	15,511	17,745	14.40
STATE ARTS COMM	1,175	2,758	134.68	836	800	-4.34	13			2,025	3,558	75.75
ST HIST SOCIETY	528	577	9.12				38	43	12.70	566	619	9.36
E WA ST HIST SO	443	485	9.50				93	75	-19.35	536	560	4.49
ST CAPITOL HIST	390	461	18.33				189	90	-52.38	579	551	-4.77
TEMP COMM ED PO	120	604	403.92				66	36	-45.59	186	640	244.56
		250									250	
<b>EDUCATION TOTAL</b>	<b>4177,812</b>	<b>4952,575</b>	<b>18.54</b>	<b>202,885</b>	<b>249,684</b>	<b>23.07</b>	<b>759,921</b>	<b>689,036</b>	<b>-9.33</b>	<b>5140,617</b>	<b>5891,295</b>	<b>14.60</b>

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS.

DOLLARS IN THOUSANDS

## Washington State 1983-85 Operating Budget — Public Schools

	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
OFFICE OF SPI	12,859	13,664	6.27	4,858	6,540	34.63	1,331	601	-54.86	19,048	20,805	9.23
EXECUTIVE SERVI	2,666	2,377	-10.84					141		2,666	2,518	-5.55
FINANCIAL SERVI	2,097	1,908	-9.04	1,289	1,884	46.20	19	28	45.08	3,405	3,820	12.18
CURRICULUM & IN	1,807	2,196	21.54	1,258	1,283	1.96	386	432	11.83	3,452	3,911	13.31
SPECIAL SERVICE	1,523	1,740	14.24	902	1,770	96.30	233			2,658	3,510	32.08
ADMIN & STAFF S	2,694	3,253	20.76	1,296	1,467	13.16	83			4,072	4,719	15.89
UGC & ADULT EDU	2,071	2,191	5.79	111	136	22.63				2,182	2,327	6.64
GEN APPORTIONME	2632,934	2984,735	13.36				4,000			2636,934	2984,735	13.19
TRANSPORTATION	149,651	168,874	12.84							149,651	168,874	12.84
UGC-TECH INSTIT	42,815	53,586	25.16							42,815	53,586	25.16
FOOD SERVICES	6,432	6,000	-6.72	54,288	60,611	11.65	22			60,742	66,611	9.66
HANDICAPPED	125,412	271,088	116.16	32,664	27,641	-15.38	39			158,115	298,729	88.93
TRAFFIC SAFETY							13,740	17,141	24.75	13,740	17,141	24.75
EDUC SERVICE DI	4,353	4,807	10.42							4,353	4,807	10.42
ELEM & SECONDAR				110,000	90,483	-17.74				110,000	90,483	-17.74
INDIAN EDUCATIO				600	367	-38.78				600	367	-38.78
INST EDUCATION	16,538	20,857	26.12	5,973	5,450	-8.76				22,511	26,307	16.86
ADULT BASIC EDU				3,385	3,106	-8.22	27			3,412	3,106	-8.96
ENCUMB FED GRAN				-27,380	27,380	200.00				-27,380	27,380	200.00
BLOCK GRANTS/SP	109,160	45,957	-57.90	185			4			109,349	45,957	-57.97
EDUCATIONAL CLI		1,100								1,100		
RELIANCE		500								500		
MISCELLANEOUS	1,433	2,236	56.04							1,433	2,236	56.04
AGENCY CLEARING	1			2			611			613		
COMP INCREASES												
REMEDATION				71			1,057			1,128		
CAREER EDUCATIO				411						411		
JUL & AUG PAYME	634									634		
RELATED CLAIMS	217									217		
<b>PUBLIC SCHOOLS</b>	<b>3102,439</b>	<b>3573,405</b>	<b>15.18</b>	<b>185,053</b>	<b>221,579</b>	<b>19.74</b>	<b>20,221</b>	<b>17,742</b>	<b>-12.26</b>	<b>3307,712</b>	<b>3812,726</b>	<b>15.27</b>

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO PROGRAMS ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS



## Washington State 1983-85 Operating Budget — Special Appropriations

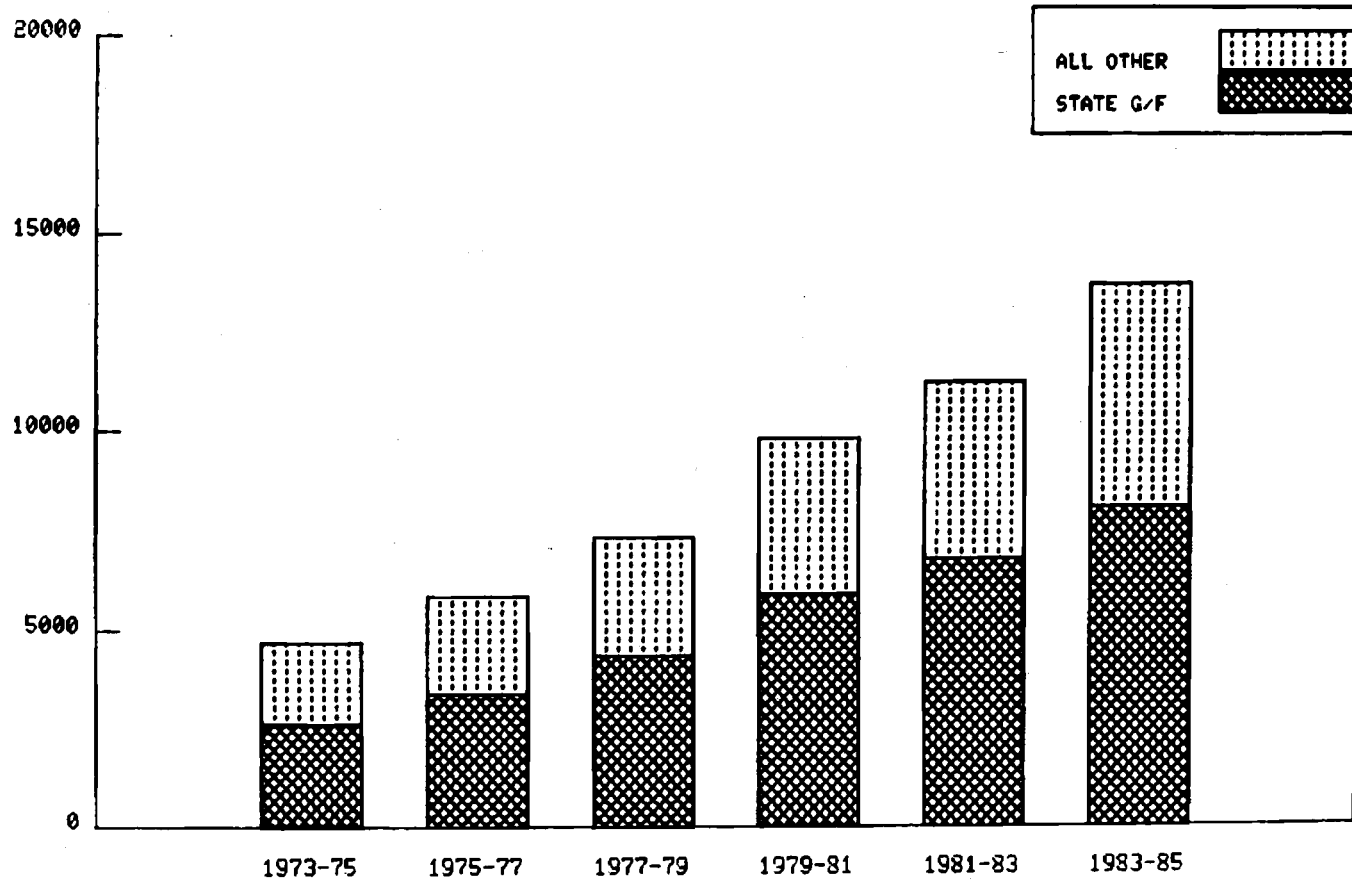
	GENERAL FUND STATE			GENERAL FUND FEDERAL			ALL OTHER FUNDS			TOTAL ALL FUNDS		
	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF	1981-83	1983-85	% DIFF
SPEC APP TO GOV	737	2,000	171.44							737	2,000	171.44
RELATED CLAIMS		905						349			1,254	
SUNDRY CLAIMS	1,617	1,865	15.30	29			100	15	-84.94	1,746	1,880	7.64
ST REV FOR DIST	162,522	191,866	18.06				302,358	334,619	10.67	464,880	526,485	13.25
FED REV FOR DIS				273	80	-70.76	24,595	16,253	-33.92	24,867	16,333	-34.32
BOND RETIRE & I							395,382	581,382	47.04	395,382	581,382	47.04
RETIREMENT CONT	2,450	4,523	84.61					39		2,450	4,562	86.20
SALARY ADJUSTME		685						825			1,510	
ELECTED OFFIC S												
K12 TRS CONTRIB	286,500	312,500	9.08							286,500	312,500	9.08
LEOFF CONTRIBUT	182,000	192,600	5.82							182,000	192,600	5.82
TOT SPECIAL APPRO	635,826	706,944	11.19	302	80	-73.61	722,434	933,482	29.21	1358,562	1640,506	20.75

NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO AGENCIES ON AN ESTIMATED BASIS.  
DOLLARS IN THOUSANDS

Comparative Information — Operating Budget — Total All Funds and State General Fund

(DOLLARS IN MILLIONS)

	1973-75	1975-77	1977-79	1979-81	1981-83	1983-85
STATE G/F	2,635	3,392	4,356	5,899	6,769	8,058
ALL OTHER	2,070	2,468	2,965	3,884	4,425	5,600
TOTAL	4,705	5,860	7,321	9,783	11,194	13,658



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 Comparative Information — Operating Budget — Total All Funds Versus General Fund — State
 

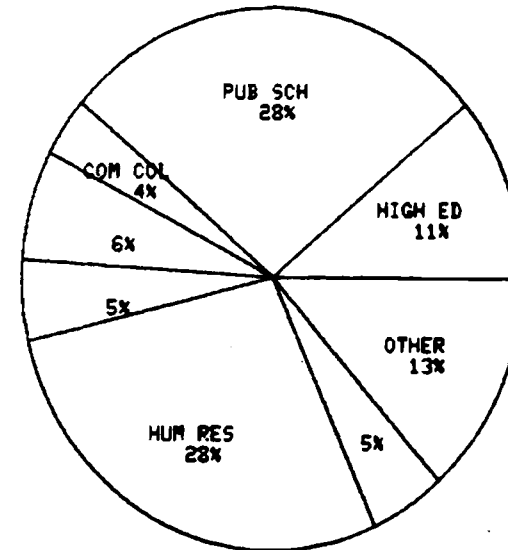
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DOLLARS IN MILLIONS

<b>1983-85 BIENNIUM</b>
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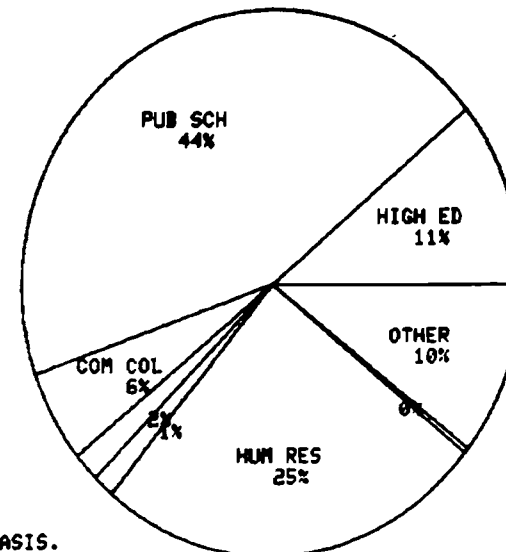
HIGHER EDUCATION	1,504	11%
PUBLIC SCHOOLS	3,813	28%
COMMUNITY COLLEGES	491	4%
NATURAL RESOURCES	881	6%
GENERAL GOVERNMENT	649	5%
HUMAN RESOURCES	3,837	28%
TRANSPORTATION	663	5%
ALL OTHER	1,821	13%

<b>TOTAL ALL FUNDS</b>	<b>13,658</b>	<b>100%</b>
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HIGHER EDUCATION	885	11%
PUBLIC SCHOOLS	3,573	44%
COMMUNITY COLLEGES	447	6%
NATURAL RESOURCES	137	2%
GENERAL GOVERNMENT	113	1%
HUMAN RESOURCES	2,031	25%
TRANSPORTATION	25	%
ALL OTHER	845	10%

<b>GENERAL FUND-STATE</b>	<b>8,058</b>	<b>100%</b>
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 NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO PROGRAM AREAS ON AN ESTIMATED BASIS.
 

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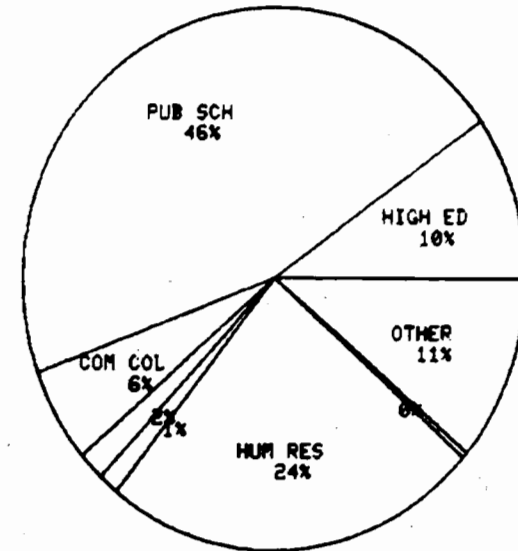
Comparative Information — Operating Budget — Current Biennium Versus Ensuing Biennium — General Fund — State

DOLLARS IN MILLIONS

**GENERAL FUND-STATE**

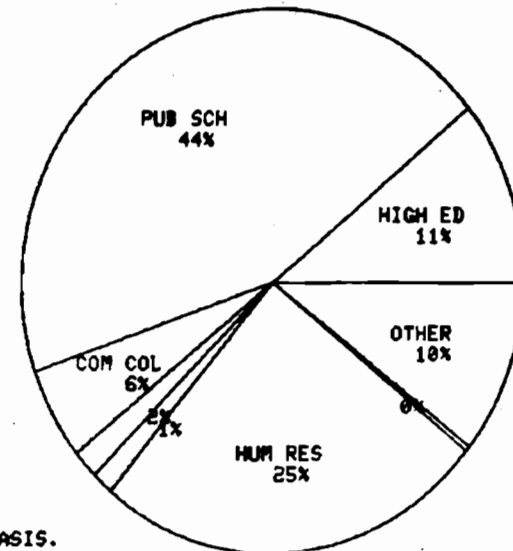
HIGHER EDUCATION	662	10%
PUBLIC SCHOOLS	3,102	46%
COMMUNITY COLLEGES	382	6%
NATURAL RESOURCES	117	2%
GENERAL GOVERNMENT	89	1%
HUMAN RESOURCES	1,647	24%
TRANSPORTATION	23	%
ALL OTHER	746	11%

**1981-83 TOTAL 6,769 100%**



HIGHER EDUCATION	885	11%
PUBLIC SCHOOLS	3,573	44%
COMMUNITY COLLEGES	447	6%
NATURAL RESOURCES	137	2%
GENERAL GOVERNMENT	113	1%
HUMAN RESOURCES	2,031	25%
TRANSPORTATION	25	%
ALL OTHER	845	10%

**1983-85 TOTAL 8,058 100%**



NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO PROGRAM AREAS ON AN ESTIMATED BASIS.

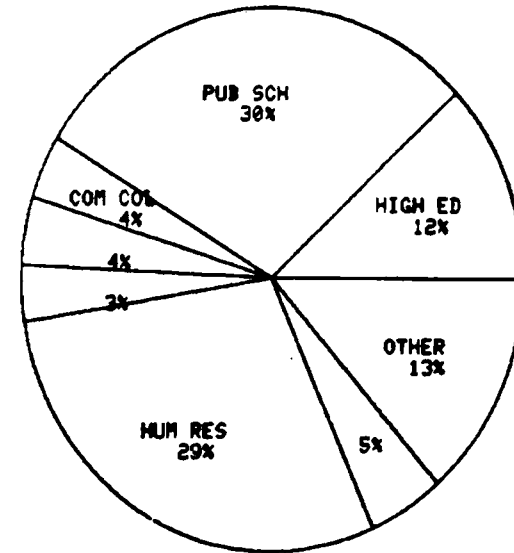
Comparative Information — Operating Budget — Current Biennium Versus Ensuing Biennium — Total All Funds

DOLLARS IN MILLIONS

**TOTAL ALL FUNDS**

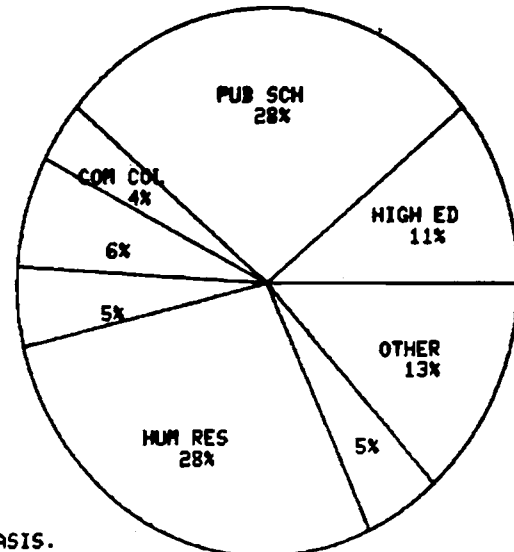
HIGHER EDUCATION	1,341	12%
PUBLIC SCHOOLS	3,308	30%
COMMUNITY COLLEGES	424	4%
NATURAL RESOURCES	445	4%
GENERAL GOVERNMENT	367	3%
HUMAN RESOURCES	3,258	29%
TRANSPORTATION	545	5%
ALL OTHER	1,507	13%

<b>1981-83 TOTAL</b>	<b>11,194</b>	<b>100%</b>
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HIGHER EDUCATION	1,504	11%
PUBLIC SCHOOLS	3,813	28%
COMMUNITY COLLEGES	491	4%
NATURAL RESOURCES	881	6%
GENERAL GOVERNMENT	649	5%
HUMAN RESOURCES	3,837	28%
TRANSPORTATION	663	5%
ALL OTHER	1,821	13%

<b>1983-85 TOTAL</b>	<b>13,658</b>	<b>100%</b>
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NOTE: COMPENSATION INCREASES ARE DISTRIBUTED TO PROGRAM AREAS ON AN ESTIMATED BASIS.

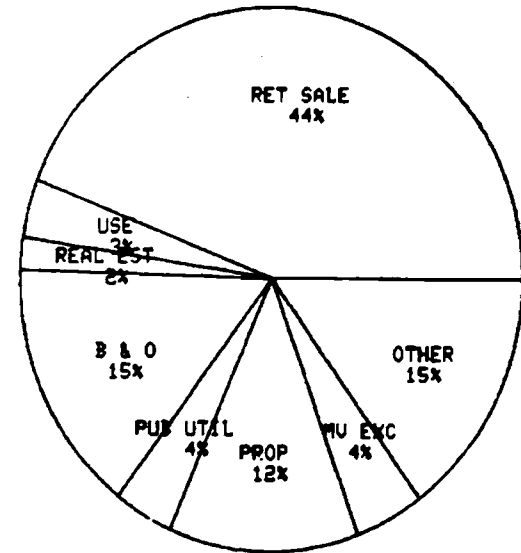
Comparative Information — Operating Budget — State General Fund Revenue — Current Biennium Versus Ensuing Biennium

DOLLARS IN MILLIONS

1981-83 BIENNIUM

RETAIL SALES	2,996	44%
USE TAX	230	3%
REAL ESTATE EXCISE	128	2%
B & O	1,020	15%
PUBLIC UTILITY	261	4%
PROPERTY TAX	827	12%
MOTOR VEHICLE EXCISE	302	4%
ALL OTHER	1,007	15%

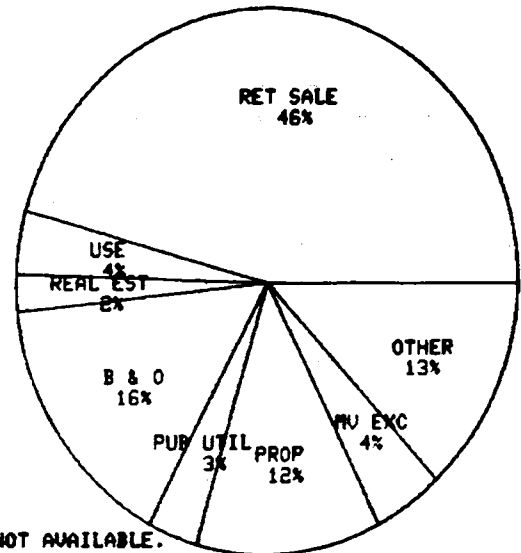
**TOTAL STATE REVENUE 6,771 100%**



1983-85 BIENNIUM

RETAIL SALES	3,714	46%
USE TAX	305	4%
REAL ESTATE EXCISE	178	2%
B & O	1,273	16%
PUBLIC UTILITY	264	3%
PROPERTY TAX	969	12%
MOTOR VEHICLE EXCISE	364	4%
ALL OTHER	1,062	13%

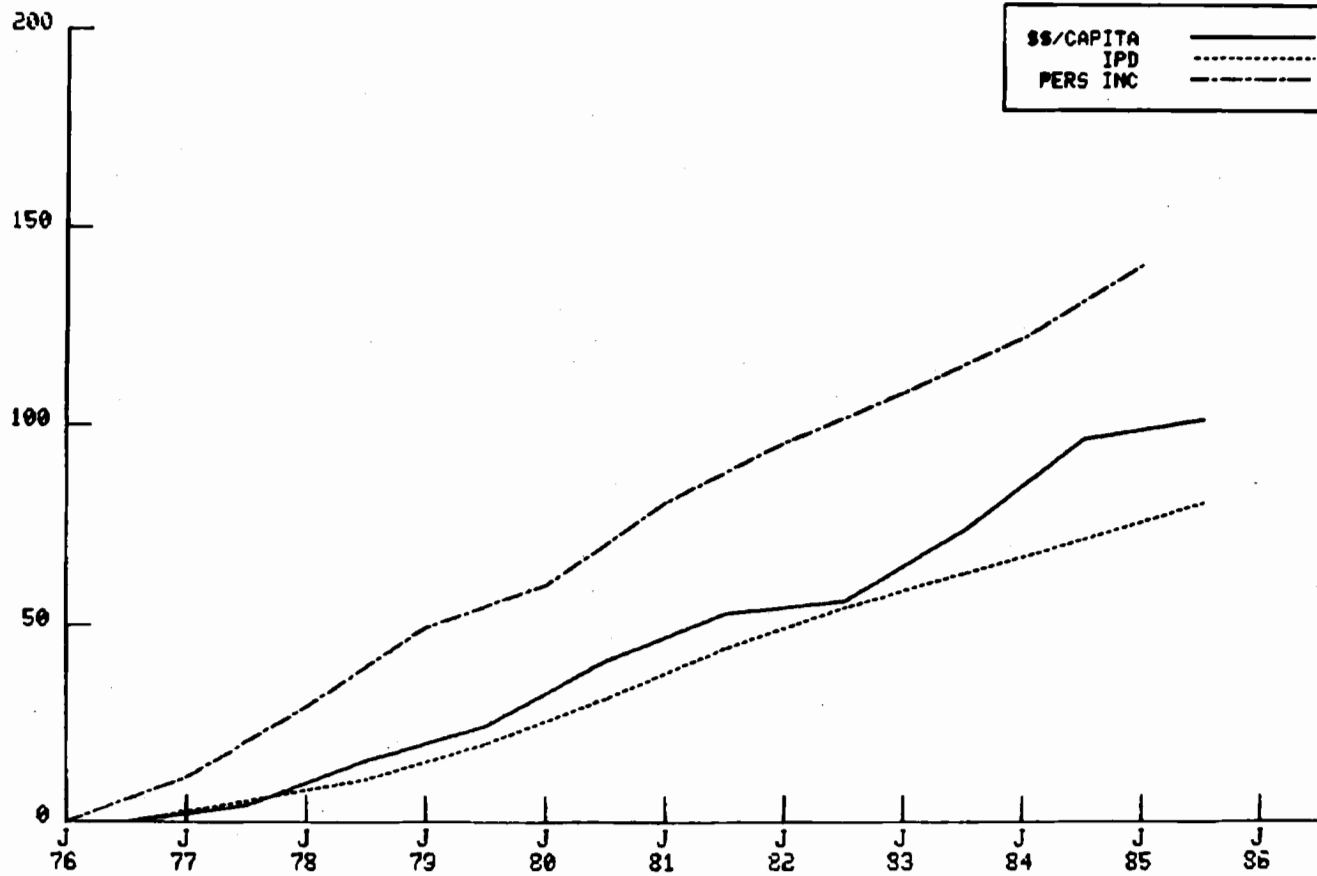
**TOTAL STATE REVENUE 8,129 100%**



NOTES—1983-85 DISTRIBUTION BY SOURCE IS PRELIMINARY.  
 --REFLECTS HOUSE REVENUE ASSUMPTIONS; SENATE REVENUE ASSUMPTIONS BY SOURCE NOT AVAILABLE.

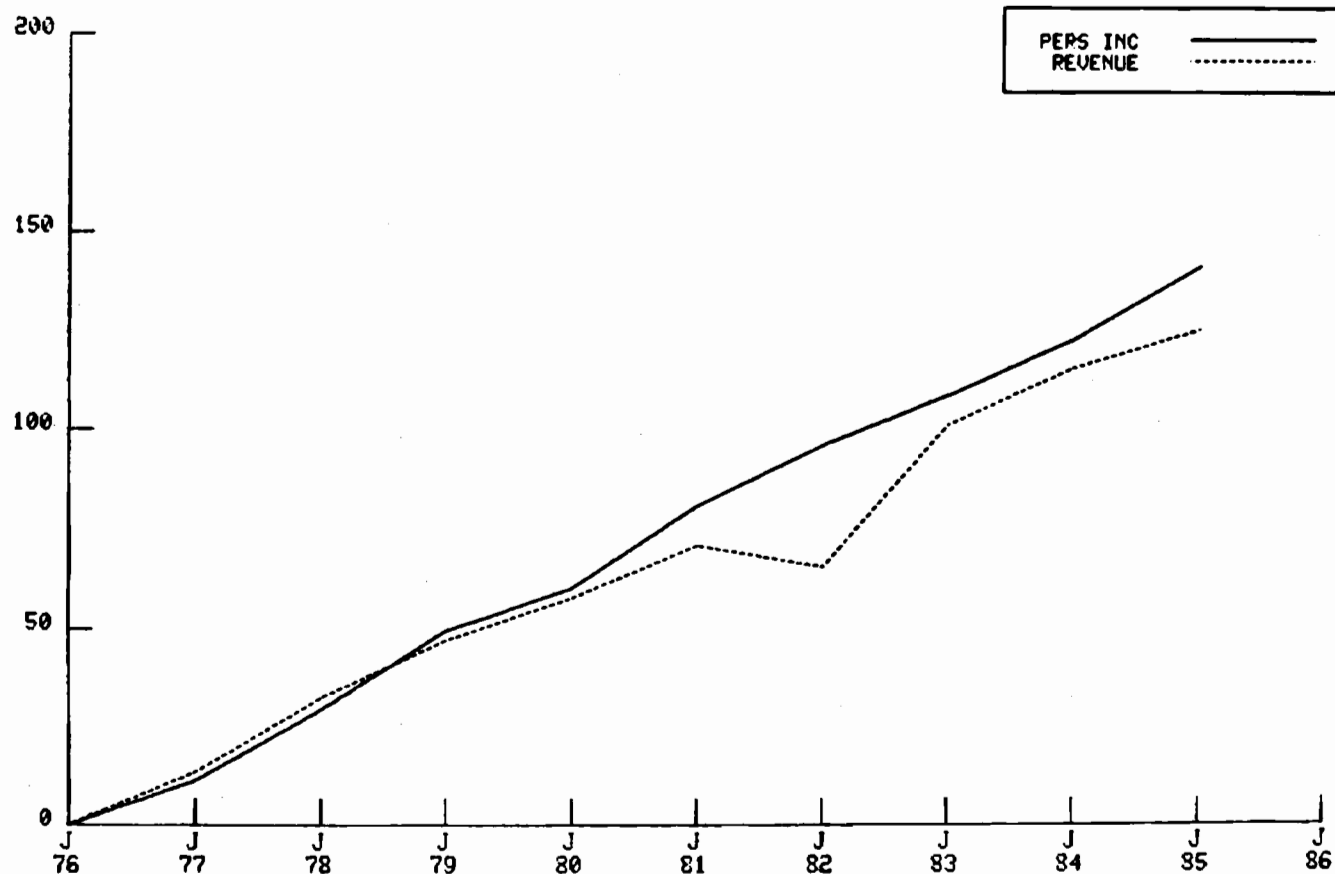
Comparative Information — Percent Change in \$ Per Capita, Implicit Price Deflator, Personal Income

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
\$\$ CAPITA		4.26	15.59	24.49	41.08	53.08	56.24	73.87	96.75	101.54
IPD		5.32	10.79	19.81	31.53	44.26	54.66	63.07	71.63	80.65
PERS INC		11.30	29.46	49.51	60.25	80.77	95.92	108.37	122.38	140.88



## Comparative Information — Percent change in Personal Income Versus State Revenue

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
PERS INC		11.30	29.46	49.51	60.25	80.77	95.92	108.37	122.32	140.88
REVENUE		13.43	32.49	47.10	57.82	70.93	65.51	101.08	115.27	124.85

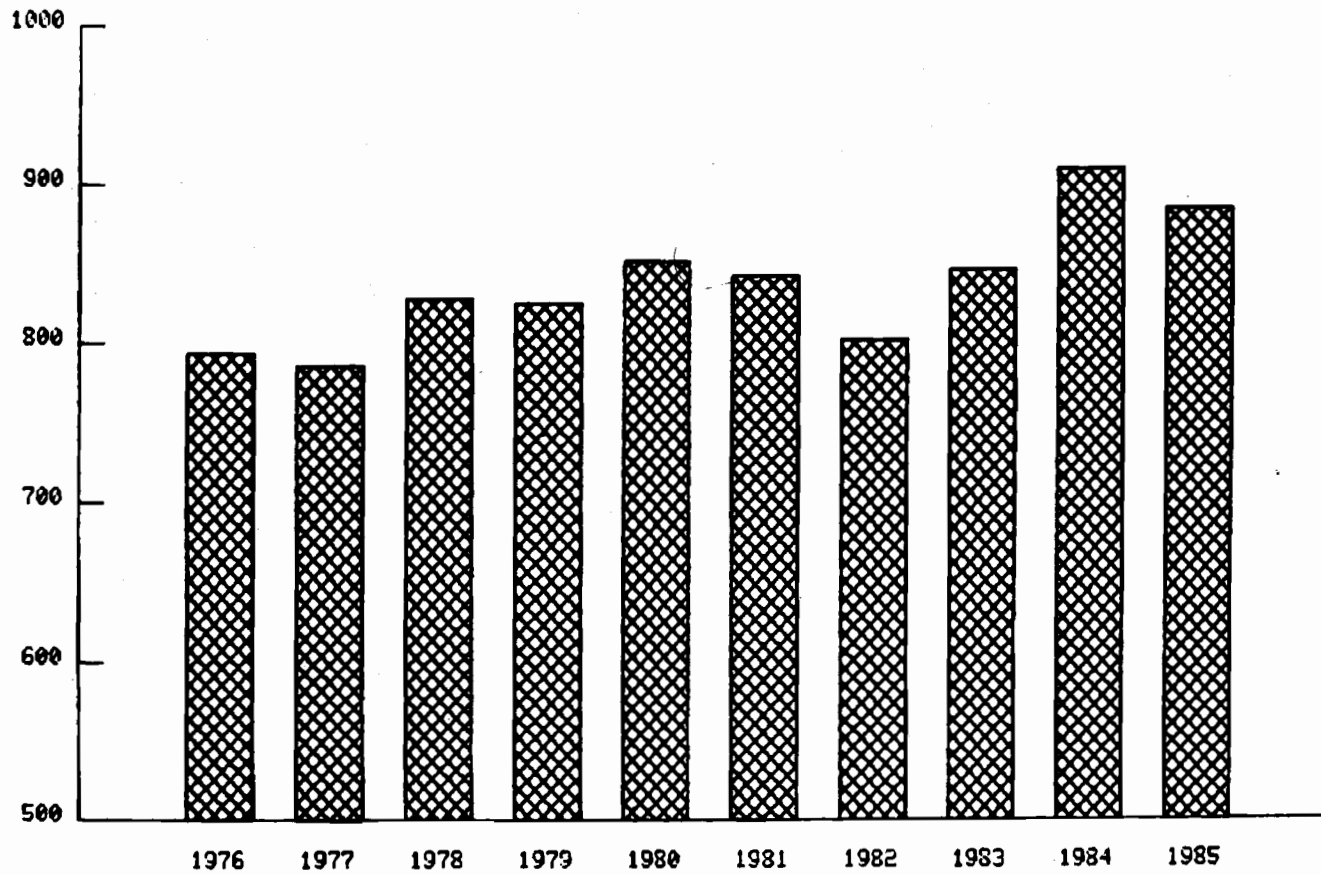


NOTE: THE 1985 REVENUE LEVEL REFLECTS ONLY 11 MONTHS OF COLLECTIONS OWING TO THE 25TH MONTH BUY-BACK.



Comparative Information — Per Capita Expenditures — Total All Funds — FY 1976 Constant Dollars (IPD)

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
<b>\$\$ CAPITA</b>	793	785	827	824	851	842	801	846	909	885



Comparative Information — State Employees Per 1000 Population

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
FTE 1000 POP	16.0	15.9	15.4	15.3	15.4	15.3	14.6	14.5	13.9	13.9
FTE	57038	58281	58028	59914	63730	64894	62266	62073	59704	60401
POPULATION	3571591	3661975	3774300	3911200	4132180	4250200	4264000	4286440	4308756	4338981



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**TOTAL BUDGET: \$13,658 Million**

The 1983-85 biennial operating budget for the State of Washington was adopted at \$13.658 billion. Of that amount, \$8.058 billion is from the state's general fund. Federal funds total \$1.742 billion, and other fund sources contribute \$3.858 billion. The budget represents a 10.7 percent increase over the original 1981-83 budget, and an 18.5 percent increase over 1981-83 budget as revised during various special sessions of the Legislature during the past biennium. When adjusted for payment of unfunded commitments from the 1981-83 biennium, the 1983-85 budget represents a 9.4 percent increase from the revised 1981-83 budget. Those commitments contain \$562 million in expenditures, including a 7 percent salary increase on June 30, 1983, replacement of higher education capital funds, vendor rate adjustments, social security increases and unemployment compensation costs.

The 1983-85 budget emphasizes 1) protection of basic life-supporting services and public health and safety, 2) maintenance of current level services and pension funding, 3) restorations in K-12 and higher education programs, and 4) modest increases in public employee salaries and benefits, vendor rates, and welfare grants. Additionally, the following state programs were eliminated: the Winter Recreation Commission, the Judicial Council, the Public Broadcasting Commission, the Uniform Legislation Commission, the Law Enforcement Assistance Program and the Compact for Education.

Several program changes were authorized in the 1983-85 budget. They include:

- Restoration of a one-year program of Aid to Families with Dependent Children (AFDC) for two-parent, unemployed families;
  - Prohibition of pro-rating of shelter and utility costs for income assistance recipients in shared housing;
  - Provision of state income assistance to pregnant women in the first two trimesters of pregnancy to supplement the federal third trimester program;
-

- Reduction of the state medical services deductible for indigent persons from \$1,500 to no more than \$500;
- Consolidation of the Planning and Community Affairs Agency and the Department of Commerce and Economic Development into the newly created Economic and Community Development Agency effective July 1, 1984;
- Financing of State Auditor's administrative expenses out of revolving funds;
- Elimination of general fund support for Crime Watch program;
- Financing of the Data Processing Authority with revolving funds;
- Creation of Minority and Women's Business Enterprises office; and
- Adoption of a new, long-term care services program in DSHS (i.e., budget consolidation of nursing homes, aging and adult services, COPES and long-term care administration).

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1983-85 Operating Budget — Legislative, Judicial, & General Government Highlights

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TOTAL BUDGET: \$745 Million\*  
5.5 PERCENT OF STATE BUDGET

LEGISLATIVE

House and Senate:

- 7.5 percent and 19 percent increase over previous biennium.

Legislative Budget Committee:

- Provides funds for tax exemption study and study of the State Auditor's fees.

Legislative Evaluation and Accountability Program:

- Provides for development of a 24-month allotment control system for state agencies to assist with tracking monthly expenditures.
- Provides for the development of a budgeting system for OFM to replace the old BOSS system.

JUDICIARY

- Costs of training, education and associated travel for the Supreme Court, Court of Appeals, Law Library, and Administrator for the Courts are provided in the Administrator for the Courts' Judiciary Education Account appropriation.

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\* Compensation increases are included on an estimated basis.

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1983-85 Operating Budget — Legislative, Judicial and General Government Highlights

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- Provides \$3.2 million for the Indigent Appeals Program of which \$1.8 million is from the general fund and \$1.4 million from the Judiciary Education Account.
- Funding is not provided for the Judicial Council.

GENERAL GOVERNMENT

Attorney General:

- The Law Enforcement Assistance Program is eliminated and the Crime Watch Program is transferred to the Criminal Justice Training Commission.

Auditor:

- Administrative costs with exception of exempt core staff positions are funded out of the Municipal Services Revolving Fund and Audit Service Revolving Fund.

Data Processing Authority:

- Funding for the agency is provided through the Data Processing Revolving Fund.

Office of Financial Management:

- OFM is directed to limit equipment purchases so that 83-85 total equipment expenditures by state agencies is \$2 million less than total amount which has been appropriated.
- Requires that OFM conduct a study to improve and consolidate offender based information and reporting systems within the state.
- Requires OFM to prepare and submit to the Legislature by December 1, 1984 a plan to have the state self-fund any or all portions of the insurance programs offered by the state.

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1983-85 Operating Budget — Legislative, Judicial and General Government Highlights

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Department of Revenue:

- Provides funds to redesign the excise tax system to conform with generally accepted accounting principles.
- Requires the Department to review the property tax assessment practices of the counties.

Utilities and Transportation Commission:

- An additional Assistant Attorney General position and additional accounting analyst positions (13.7 biennial FTE) are provided to accommodate projected increased workload in utility rate request cases.
- Provides funds for a joint select committee on telecommunications regulations for the purposes of reviewing the consequences of changes in the telecommunications industry, including the AT&T divestiture.
- Provides funds for the costs associated with the Attorney General's representation on behalf of the public before the commission.

Other:

- Funding is not provided for the Uniform Legislation Commission.
  - The Liquor Control Board is budgeted based upon a minimum productivity factor of bottles sold per FTE with relation to store operations.
  - Funding is provided for the newly created Office of Minority and Womens' Business Enterprises.
  - The Public Employment Relations Commission staff was increased by two new mediators to reduce the current caseload backlog.
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1983-85 Operating Budget — Human Resources Highlights

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TOTAL BUDGET: \$3,837 Million\*  
28.1 PERCENT OF STATE BUDGET

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Juvenile Rehabilitation:

The budget provides funding for juvenile programs while ensuring public safety through detention, diversion, diagnostic, and probation programs.

- Emphasizes community based programs to serve youth who might otherwise be committed to the division on a manifest injustice basis.
- Provides improvements in institutional medical and dental care as well as institutional maintenance.

Mental Health:

Funding for the mental health program includes increases for both community and institutional services. In community services emphasis is placed on providing treatment to citizens of the state who are acutely or chronically ill or are seriously disturbed.

- Expands residential treatment beds by conversion of existing congregate care beds.
- Provides for semi-independent living units for chronically and seriously mentally ill adults.

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\* Compensation increases are included on an estimated basis.



- Requires DSHS to transition 55 private hospital Involuntary Treatment Act (ITA) beds to new community residential ITA beds.
- Provides \$6.6 million increase for Community Mental Health.
- Adds new beds at Western and Eastern State Hospitals for court-committed mentally ill offenders.

#### Developmental Disabilities:

The budget maintains the high level of care developed under federal IMR standards.

- Provides additional community residential beds.
- Enhances Home Aid services, behavior management, and Associated Developmental Center training.

#### Long Term Care:

This new program combines funding for nursing homes, community-based senior citizen services, and administration, in order to promote the use of less expensive and restrictive alternatives to nursing home placements whenever possible.

- Funds projected nursing home bed needs, but places part of appropriation in reserve for use in community placements if needed.
  - Funds enhancements in nursing home patient care in both years of biennium, and implementation of rate reform for property and return on investment.
  - Provides additional beds in adult family homes and congregate care facilities.
  - Adds funds for increased rates and respite care for adult family homes.
  - Continues the Senior Citizen Services Act and volunteer chore services programs.
-

Income Assistance:

The budget gives priority to basic life-support programs for indigent families, the elderly, and the disabled, with modest grant increases each year. Expanded eligibility for assistance is accompanied by efforts to strengthen job-placement programs.

- Makes two-parent families eligible for Aid to Families with Dependent Children in the first year.
- Provides general assistance funds to pregnant women.
- Requires clearer standards and procedures for disability determinations.
- Prohibits reduction of grants when recipients share housing with others.

Community Social Services:

The budget emphasizes services to help keep families together and avoid costly foster placements of children. It also restores some drug treatment services that were cut in 1982. Services to senior citizens are shifted to the new Long Term Care program. Modest annual vendor rate increases are provided.

- Funds improved home-based services to families with children at risk of removal from their homes.
- Provides funding for therapeutic day care for abused children.

Medical Assistance:

- Reduces the deductible for state acute and emergent medical services from \$1500 to \$500.
- Eliminates general assistance seven-day retroactive medical eligibility.
- Controls rising hospital costs by providing a modest hospital inflation rate (15 percent).

**Public Health:**

The budget continues vital public-health programs and increases funding for poison control centers and the monitoring of shellfish for "red tide" effects.

**Vocational Rehabilitation:**

Funds are provided to offset a portion of reduced federal support. Some of the funding is earmarked for services to income assistance clients who are not severely disabled in order to help them achieve independence.

**Administration and Supporting Services:**

Necessary management and support services are provided, but at reduced staffing levels to reflect emphasis on funding direct services.

- Provides funding for the information resource management plan which includes the Community Service, Developmental Disabilities, Support Enforcement, automated birth certification and Mental Health information systems.

**Community Services Administration:**

The budget provides additional staff to handle increased public assistance caseloads and to reduce error rates. Other increases are targeted on priority areas.

- Increase in child protective service staff.
  - Modest funding for private neighborhood-based agencies that help people who fall between the cracks of government programs.
  - Increased family reconciliation staff to help children remain in their homes.
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Department of Corrections:

The budget provides funds to manage the continuing growth in population of persons committed to prison institutions. Increased funding is appropriated for the expansion of community diversion efforts which is intended to reduce projected inmate population increases.

- Provides funds for operation of the new 500-bed prison at Monroe and 600 additional beds at the Washington Corrections Center.
- Includes funding for the operation of an Intensive Management Unit at the Penitentiary in Walla Walla.
- Enhances intensive parole supervision.
- Provides funds for a 50-bed work release facility in Clark County.
- Establishes an institutional Drug and Alcohol Treatment program.
- Strengthens the Institutional Industries program.

HUMAN RESOURCES - OTHER

Department of Veterans Affairs:

The budget continues current programs, including the Veterans Home and the Soldiers Home and Colony, and provides additional funding for services to Vietnam veterans.

Planning and Community Affairs Agency:

- Provides funding for independent operation in fiscal year 1984 and merges this agency and the Department of Commerce and Economic Development into the newly created Department of Economic and Community Development on July 1, 1984.

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**1983-85 Operating Budget — Human Resources Highlights**

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- Provides grants for law enforcement agencies in those municipalities located on the Canadian border.
- Provides funds for Mount St. Helens volcano zone enforcement patrols.

**Human Rights Commission:**

Provides additional staff to investigate claims of discrimination against disabled persons.

**Board of Prison Terms and Paroles:**

The budget recognizes the additional costs of early release initiatives.

- Provides additional funds for early release proposals.
- Increases frequency of parole revocation hearings.

**Hospital Commission:**

The budget recognizes general fund savings due to increased revenues to the Hospital Commission Account, without reducing total funding from the Governor's request.

- The Commission is required to review hospital budgets more aggressively with the aim of more effectively controlling rate increases, and to report to the Legislature on its findings.

**Employment Security Department:**

The budget continues ongoing agency services and places additional emphasis on groups with high unemployment.

- Partially replaces lost federal funding for the ex-offender career awareness program.
  - Continues services of the corrections clearinghouse.
  - Provides matching funds for new conservation corps program.
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1983-85 Operating Budget — Natural Resources Highlights

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TOTAL BUDGET: \$881 Million\*  
6.5 PERCENT OF STATE BUDGET

CONSERVATION CORPS

- Provides \$5.0 million to establish employment programs for the youth of the state and the funds are distributed to the following agencies:

Department of Ecology	\$1,500,000
Department of Natural Resources	\$1,100,000
Departments of Game,** Fisheries and Agriculture and State Parks and Recreation Commission, each	\$ 600,000

DEPARTMENT OF ECOLOGY

- Provides additional funds for grass seed burning research.
- Provides \$985,000 for grants to local air pollution control authorities.
- Provides for increase in the hazardous waste program.
- Provides increase in the dam safety program.

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\* Compensation increases are included on an estimated basis.

\*\* To be received through a contract with Employment Security Department.

STATE PARKS AND RECREATION COMMISSION

- Restores operation of most parks seasonally closed in the current biennium.

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

- Provides \$13.5 million of state and federal funds for recreation grants to public agencies.

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

- Provides \$3 million GF-St. and \$.5 million MVET-State for the tourism program in the 1983-85 biennium.
- Merges the agency and the Planning and Community Affairs Agency on July 1, 1984, into the newly created Department of Economic and Community Development.

DEPARTMENT OF FISHERIES

- Provides enhancement to the marine fish (other than salmon) and the shellfish programs.
- Provides for the additional production of 100,000 pounds in the salmon program.

DEPARTMENT OF GAME

- Provides for retention of all game farms.
- Provides for user surveys among anglers and hunters.
- Enhances the steelhead and other anadromous fish program.

DEPARTMENT OF NATURAL RESOURCES

- Provides \$11.2 million for forest fire control.

- Provides funds to increase the Honor Camp work crews and to implement an incentive pay within this rehabilitation program.
- Expands aerial mapping and photo services.

DEPARTMENT OF AGRICULTURE

- Provides \$350,000 for the promotion of Washington State wine products.
- Provides additional staff for field investigation of pesticide usage.
- Enhances the consumer protection services within the department.
- Provides funding for a food bank coordinator.



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## 1983-85 Operating Budget — Transportation Highlights

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TOTAL BUDGET: \$663 Million\*  
4.9 PERCENT OF STATE BUDGET

### STATE PATROL (GENERAL FUND-STATE PORTION ONLY)

- An additional five technicians are added to enhance the state's Crime Laboratories' ability to render services to local law enforcement agencies and county prosecutors.

### DEPARTMENT OF LICENSING

- Provides for continued implementation of local automation of vehicle titles and registration.
- Funds land development and escrow registration activity out of Real Estate Commissions Account.

### TRANSPORTATION BUDGET - OPERATING AND CAPITAL

The 1983-1985 Transportation budget (Substitute House Bill 234) appropriates nearly \$1.5 billion for transportation-related programs of nine agencies. The budget includes funding for both operating and capital programs.

#### Traffic Safety Commission:

- Reduction from 1981-1983 reflects reduced federal funding for traffic safety programs.

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\* Reflects only the operating portion of the transportation budget. Compensation increases are included on an estimated basis.

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Board of Pilotage Commissioners:

- Increased pilots fees permit the hiring of a full-time secretary.

Department of Commerce and Economic Development:

- Current level funding of tourist information centers is provided.

County Road Administration Board:

- Current level of service funding of existing programs.
- Rural arterial program (administered by the Board) is established to help fund improvements to rural county roads.

Urban Arterial Board:

- Appropriation includes \$50 million for the sale of bonds authorized by the 1981 Legislature.

Washington State Patrol:

- Appropriation reflects a current level carry forward budget with one exception. An increase in trooper strength on state highways will be achieved by replacing commissioned officers in the Vehicle Identification Program (VIN) with civilian employees.

Legislative Transportation Committee:

- Current level of service funding is provided.

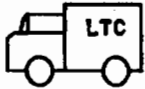
Transportation Commission:

- Current level of service funding is provided.

Department of Transportation:

- State highway construction and maintenance programs account for 77 percent of appropriations to the department.
    - Completion of the interstate system will remain on schedule.
    - Implementation of the state highway capacity improvement program will continue.
    - The state highway preservation program (Category A) and the highway maintenance program are fully funded.
  - Funding of management and administrative programs provides for current levels of service, except for increases in direct services associated with highway construction programs.
  - Marine Division budget (ferry system and Hood Canal Bridge) assumes continuation of current level of service without ferry fare increases during the first year of the biennium.
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# 1983-85 Operating Budget — Transportation Highlights



## 1983-1985 TRANSPORTATION BUDGET

DATE 06/20/83

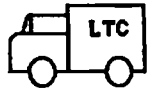
SUBSTITUTE HOUSE BILL 234 - LEGISLATIVE APPROPRIATIONS  
COMPARISON WITH 81/83 APPROPRIATIONS & EXPENDITURES

(DOLLARS IN 000)

AGENCY	1981-1983 LEGISLATIVE APPROPRIATIONS	1981-1983 ESTIMATED EXPENDITURES	% CHANGE 81/83 APPROP. TO EST. EXP.	1983-1985 LEGISLATIVE APPROPRIATIONS	% CHANGE FROM 81/83 APPROP.	% CHANGE FROM 81/83 EST. EXP.
TRAFFIC SAFETY COMMISSION	8,850	7,333	-17.1	6,006	-32.1	-18.1
BD. OF PILOTAGE COMMISSIONERS	55	55	0.0	72	30.7	30.7
DEPT. OF COMMERCE & ECON. DEV.	399	387	-3.0	514	28.8	32.8
COUNTY ROAD ADMINISTRATION BD.	267	259	-3.0	285	6.7	10.0
RURAL ARTERIAL PROGRAM	0	0	0.0	12,500	0.0	0.0
URBAN ARTERIAL BOARD	68,961	24,524	-64.4	64,226	-6.9	161.9
STATE PATROL - OPERATING	95,229	92,305	-3.1	103,530	8.7	12.2
STATE PATROL - CAPITAL	1,300	1,149	-11.6	908	-30.1	-21.0
LEGISLATIVE TRANSPORTATION COMM.	1,657	1,554	-6.2	1,628	-1.8	4.8
TRANSPORTATION COMMISSION	408	357	-12.5	399	-2.2	11.8
DEPARTMENT OF TRANSPORTATION	1,486,896	1,193,973	-19.7	1,287,643	-13.4	7.8
<b>TOTAL TRANSPORTATION AGENCIES</b>	<b>1,664,022</b>	<b>1,321,896</b>	<b>-20.6</b>	<b>1,477,710</b>	<b>-11.2</b>	<b>11.8</b>

NOTE: COMM. & ECON. DEV. AND STATE PATROL INCLUDE ONLY MOTOR VEHICLE FUND & HIGHWAY SAFETY FUND APPROPRIATIONS.

## 1983-85 Operating Budget — Transportation Highlights



## 1983-1985 TRANSPORTATION BUDGET

## DEPARTMENT OF TRANSPORTATION

DATE 06/20/83

SUBSTITUTE HOUSE BILL 234 - LEGISLATIVE APPROPRIATIONS  
COMPARISON WITH 81/83 APPROPRIATIONS & EXPENDITURES

(DOLLARS IN 000)

<u>PROGRAM</u>	<u>1981-1983 LEGISLATIVE APPROPRIATIONS</u>	<u>1981-1983 ESTIMATED EXPENDITURES</u>	<u>% CHANGE 81/83 APPROP. TO EST. EXP.</u>	<u>1983-1985 LEGISLATIVE APPROPRIATIONS</u>	<u>% CHANGE FROM 81/83 APPROP.</u>	<u>% CHANGE FROM 81/83 EST. EXP.</u>
<u>HIGHWAY DIVISION</u>						
HIGHWAY CONST. - CATEGORY A	291,403	232,600	-20.2	224,800	-22.9	-3.4
HIGHWAY CONST. - CATEGORY B	440,060	313,000	-28.9	474,800	7.9	51.7
HIGHWAY CONST. - CATEGORY C	73,955	72,400	-2.1	132,900	79.7	83.6
CONST. MGMT. & SUPPORT	17,572	16,400	-6.7	19,622	11.7	19.6
HIGHWAY MAINTENANCE	138,707	134,700	-2.9	153,413	10.6	13.9
HIGHWAY MGMT. & SUPPORT	10,788	10,500	-2.7	12,559	16.4	19.6
<u>TOTAL HIGHWAY DIVISION</u>	<u>972,486</u>	<u>779,600</u>	<u>-19.8</u>	<u>1,018,004</u>	<u>4.7</u>	<u>30.6</u>
<u>MARINE DIVISION</u>	<u>292,901</u>	<u>198,751</u>	<u>-32.1</u>	<u>95,170</u>	<u>-67.5</u>	<u>-52.1</u>
AERONAUTICS	2,066	1,305	-36.8	1,983	-3.5	52.7
PUBLIC TRANS. & PLANNING	22,462	19,343	-13.9	19,245	-14.3	-0.5
COUNTY-CITY PROGRAM	179,611	178,300	-0.7	131,268	-26.9	-26.4
MINORITY TRAINING	1,200	1,200	0.0	1,200	0.0	0.0
EXEC. MGMT. & MGMT. SERVICES	16,171	15,474	-4.3	20,673	27.8	33.6
<u>TOTAL DEPT. OF TRANSPORTATION</u>	<u>1,486,896</u>	<u>1,193,973</u>	<u>-19.7</u>	<u>1,287,643</u>	<u>-13.4</u>	<u>7.8</u>

TOTAL BUDGET: \$5,891 Million\*  
43.1 PERCENT OF STATE BUDGET

STATE COMMON SCHOOLS (K-12)

Basic Education:

- Funds basic education formula as defined at 100 percent.
- Deletes staff mix freeze of 1981-83 and recognizes changes in staff mix on a one year lag.
- Funds substitute teachers at three days per teacher at \$50/day.
- Improves certificated staff per pupil ratio in skill centers from the current 1 staff per 18.3 pupils to 1 staff per 16.67 pupils.
- Increases funding for non-employee related costs per staff unit (utilities, books, etc.) based on 1981-82 actual system expenditures adjusted for levies and inflation.

	<u>1982-83</u>	<u>1983-84</u>		<u>1984-85</u>	
		\$	% Change	\$	% Change
Academic Rate/Staff	\$4,966	\$ 5,287	6.5%	\$ 5,562	5.2%
Vocational Rate/Staff	\$8,641	\$10,174	17.7%	\$10,598	5.2%

\* Compensation increases are included on an estimated basis.

**Salary and Insurance Benefit Increases:**

- Provides a system-wide 5 percent increase effective November 1, 1984.
- Provides a \$22 insurance benefit increase effective September 1, 1983 increasing the monthly contribution from \$137/month to \$159/month.
- Authorizes districts with below average classified salaries to grant increases to achieve the average in 1983-84.
- Authorizes districts to grant the state-funded salary increases of November 1, 1984 on September 1, 1983.

**Pupil Transportation:**

- Funds district operating costs at 65 percent of formula in 1983-84 and 90 percent in 1984-85.
- Funds the bus acquisition formula at 100 percent for 1983-85.

**Handicapped:**

- Shifts the following categories from the block grant program to the handicapped program:
    - . Communication Disordered(CD)
    - . Specific Learning Disabled (SLD)
    - . Behaviorally Disordered (BD)
  - Retains funding for preschool handicapped in the handicapped program.
  - Increases funding for non-employee related costs based on 1981-82 total program expenditures adjusted for levies and inflation.
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Special Needs Block Grant:

- Changes distribution of funds formula to place more emphasis on special needs of districts as criteria for receipt of funds.
- Provides \$29 million for such programs as remediation, bilingual, gifted, etc. This level of funding is equivalent to the 1980-81 level of funding adjusted for inflation.

Vocational-Technical Institutes and Adult Education:

- Support for per FTE pupil increased from the 1982-83 rate of \$2,136 to \$2,461 in 1983-84 and \$2,491 in 1984-85.
- Provides for an enrollment increase of 5.7 percent in 1983-84 and 6.0 percent in 1984-85. The increase results in enrollment levels of 10,638 FTE students in 1983-84 and 11,255 FTE students in 1984-85.

Institutional Education:

- Initiates funding for an educational program in county detention centers (\$3.4 million).
- Staff ratios and support costs are maintained at existing levels at each of the institutions, group homes and learning centers.



HIGHER EDUCATION

- Assumes student enrollments in accordance with the office of Financial Management projections. Overall enrollment is increased 1,282 FTEs from the 1982-83 level.

UW	29,496
WSU	16,000
EWU	7,000
CWU	5,800
TESC	2,209
WWU	8,250
CCs	83,000

- 28-1 student/faculty ratio for undergraduates established as "minimum quality" level (71 percent of "formula").
- Provides \$22,028,000 for replacement and repair of instructional equipment distributed as follows:

UW	\$6,368,000
WSU	2,474,000
EWU	706,000
CWU	646,000
TESC	579,000
WWU	1,590,000
CCs	9,665,000

- Implements a legislative mandate for review of Spokane area higher education program needs. The Office of Financial Management shall conduct a financial analysis of the Eastern Washington Center for Higher Education located in Spokane and shall submit the results to the Legislature by October 1, 1983.
- Establishes community college part-time faculty ratio at 1982-3 ratios.

- Provides \$2,947,000 for faculty resource equalization at The Evergreen State College, Central and Western Universities.
- Provides \$6,000,000 for undergraduate program enhancement at the research universities.

EDUCATION - OTHER

State Library:

- \$75,000 is provided for matching the costs of an automated circulation system for the Washington Library for the Blind and Physically Handicapped.

Arts Commission:

- Provides for 84 percent full restoration of the arts.
- Restores Information Program and provides for expanded services to the art community.
- Increases grant support to institutional arts organizations, local municipal art programs, and cultural enrichment programs for K-12 school children.
- Provides scholarships from federal funds for six artists in the area of visual and performing arts.

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## 1983-85 Operating Budget — Special Appropriations Highlights

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TOTAL BUDGET: \$1,641 Million\*  
12.0 PERCENT OF STATE BUDGET

### COMPENSATION

Salary increases to partially implement the 1982 salary survey catch-up results are provided no later than January 1, 1985. If granted on January 1, 1985, the following average percent increases apply:

- 8.4% -- State Personnel Board classified and exempt.
- 6.7% -- Higher education classified.
- 6.7% -- Higher education faculty and exempt (including 3.1% merit/market increases).
- 3.6% -- Graduate assistants, medical residents, teaching assistants, and research assistants.

Common school (K-12) employees are guaranteed no less than a 5 percent salary increase effective on November 1, 1984.

### STATE EMPLOYEES HEALTH INSURANCE

In addition to salary increases, the state's contribution to the payment of employee health insurance premiums is increased from the current rate of \$137 per month per employee to \$159 per month per employee effective July 1, 1983.

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\* Compensation increases are distributed to the program areas on an estimated basis.

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(SHB 1079)

1. State Auditor

The Governor vetoed Section 20, subsection (2) which directed the Director of Financial Management to approve payments to the State Auditor in all cases of necessity notwithstanding the level of auditing activity supported by the appropriation. The subsection was vetoed on the basis that it changes substantive law.

2. Office of Financial Management

The Governor vetoed Section 22 (2) which directed the Office of Financial Management to reduce state agency equipment purchases by \$2 million on the grounds that such reductions should have been identified by agency.

3. Economic and Revenue Forecasting Council

Section 50 appropriated \$804,000 to the Economic and Revenue Forecasting Council (created by House Bill 784). Since the Governor vetoed HB 784, this section was vetoed.

4. Department of Social and Health Services

The Governor vetoed Section 52 (1), which required that initial allotments conform to appropriations for the various DSHS programs, and that the legislative fiscal committees be consulted about subsequent allotment changes. The vetoed language also prohibited fund transfers among the twelve DSHS programs. As a result, fund transfers are permitted except where restricted by other provisions of the bill.

5. DSHS - Long Term Care Services

The Governor vetoed language in Section 56 (1) requiring that DSHS provide long-term care services "in the least restrictive and most cost-effective manner appropriate for individual clients." The Governor supported the intent of this language but believed its inclusion in the budget act could result in inappropriate litigation in individual cases.

#### 6. DSHS - Income Assistance

The Governor vetoed Section 57 (2) which required DSHS to take over the Work Incentive Program now administered jointly with the Employment Security Department. The veto message said the program would be more effective with joint administration.

#### 7. K-12 Compensation Increases

The Governor vetoed Section 97 (1) which permits the November 1, 1984, pay increase to be granted up to fourteen months earlier. This veto also eliminates language imposing a penalty for violations of state statutory guidelines.

#### 8. K-12 Health Insurance Benefits

The Governor vetoed subsection 103 (6)(b) which would have permitted districts to increase health insurance benefits up to a rate of \$159 per individual. As a result of this veto, health insurance benefits will be distributed at \$159 per full-time-equivalent employee.

#### 9. Salary Increase Lid

Sections 103 (7) and 134 (9) prohibited salary or merit increases for K-12 and state employees who earn \$40,000 or more per year. The Governor vetoed these subsections on the grounds that such limits are unfair and negatively impact the recruitment and retention of state employees.

#### 10. The Evergreen State College

The veto of Section 122 (6) deleted the requirement that the Board of Trustees limit the use of campus space to the amount sufficient to serve enrollments of up to 2,500 students, and to use the excess space to reduce the amount of leased space in Thurston County. The Governor vetoed this language on the grounds that it restricts Evergreen's use of its own campus and improperly delegates authority over the campus facilities to the Department of General Administration.

1981-83 Supplemental Expenditure Legislation

(\$ in thousands)

<u>BILL NO.</u>	<u>SUBJECT</u>	<u>GENERAL FUND STATE</u>	<u>GENERAL FUND FEDERAL</u>	<u>GENERAL FUND LOCAL</u>	<u>GENERAL FUND TOTAL</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
HB 588	Jail Improvements					13,800	13,800
HB 725	Session Laws	128			128		128
HB 793	Agricultural Commodities	50			50		50
SB 3035	Public Works	35			35		35
SB 3096	School Districts	(1,700)			(1,700)		(1,700)
SB 3100	Supplemental Budget	2,965	197		3,162	(3,641)	(479)
SB 3109	Ferry System					20	20
SB 3198	Hood Canal/Hiway Proj					69,000	69,000
SB 3258	Tax Modification	212			212		212
SB 3519	Mt. St. Helens					5,020	5,020
SB 4205	Productivity Board					50	50
		<u>\$ 1,690</u>	<u>\$ 197</u>		<u>\$ 1,887</u>	<u>\$84,249</u>	<u>\$ 86,136</u>

## 1983-85 Capital Budget — Agency Summary

AGENCY NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
085 SECRETARY OF STATE	.0	.0	.0	147.8	147.8	.0
090 STATE TREASURER	.0	17,300.0	17,300.0	.0	.0	.0
150 GENL ADMINISTRATION	8,492.6	7,663.6	829.0-	18,972.6	19,538.0	565.4
230 EMERGENCY SERVICES	.0	.0	.0	37.0	.0	37.0
235 DEPT LABOR & INDUSTR	.0	.0	.0	464.0	209.2	254.8-
245 MILITARY DEPARTMENT	159.0	137.0	22.0-	4,671.6	4,250.0	421.6-
3000 DSHS - HEADQUARTERS	14,545.2	14,365.2	180.0-	14,406.4	15,275.6	869.2
3002 DSHS - JUV REHAB	425.0	425.0	.0	2,147.8	2,147.8	.0
3003 DSHS - MENTAL HEALTH	2,551.0	2,001.0	550.0-	8,488.3	2,069.1	6,419.2-
3004 DSHS - DEVEL DISABIL	15,828.1	14,158.0	1,670.1-	7,492.4	4,573.4	2,919.0-
305 VETERANS AFFAIRS	334.0	334.0	.0	3,583.5	255.0	3,328.5-
310 DEPT OF CORRECTIONS	38,480.5	37,359.9	1,120.6-	89,280.5	75,315.2	13,965.3-
345 ST BRD OF EDUCATION	50,000.0	50,000.0	.0	146,600.0	123,900.0	22,700.0-
352 ST BRD COMM COLL ED	4,111.5	4,111.5	.0	16,700.7	8,462.6	8,238.1-
354 COMM FOR VOC EDUC	5,600.0	5,600.0	.0	.0	.0	.0
360 UNIV OF WASHINGTON	43,183.0	43,283.0	100.0	42,411.0	39,691.0	2,720.0-
365 WASH STATE UNIV	10,907.0	10,907.0	.0	37,401.0	36,820.0	581.0-
370 EASTERN WASH UNIV	5,311.0	5,311.0	.0	3,541.0	3,541.0	.0
375 CENTRAL WASH UNIV	3,035.0	3,108.1	73.1	5,112.3	3,928.3	1,184.0-
376 THE EVERGREEN ST COL	120.0	120.0	.0	728.0	1,133.0	405.0
380 WESTERN WASH UNIV	1,470.0	1,220.0	250.0-	4,192.0	3,392.0	800.0-
461 DEPT OF ECOLOGY	2,293.5	2,293.6	.1	668.9	668.9	.0
465 PARKS AND RECREATION	2,821.9	2,821.9	.0	3,089.5	1,176.2	1,913.3-
470 COMM & ECON DEVELOP	5,000.0	.0	5,000.0-	.0	20,000.0	20,000.0
480 DEPT OF FISHERIES	10,258.8	10,258.8	.0	3,138.9	1,602.1	1,536.8-
485 DEPARTMENT OF GAME	2,218.2	1,969.9	248.3-	16,893.3	16,817.1	75.8-
490 DEPT OF NATL RESOURC	5,940.2	5,046.0	894.2-	10,940.3	9,331.7	1,608.6-
540 EMPLOYMENT SECURITY	545.0	545.0	.0	246.3	246.3	.0
550 ST CONV & TRADE CTR	87,513.0	.0	87,513.0-	.0	.0	.0
*** GRAND TOTAL ALL AGENCIES	321,143.5	240,339.5	80,804.0-	441,355.1	394,528.3	46,826.4-

(DOLLARS IN THOUSANDS)

## 1983-85 Capital Budget - Fund Summary

FUND SOURCE	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
0010	GENERAL FUND-STATE	332.0	332.0	.0	.0	.0
0012	GENERAL FUND-FEDERAL	314.0	378.0	64.0	3,167.6	2,897.0
01B0	OFF ROAD VEHICLE	555.8	556.0	.2	892.7	424.7
01D0	FIRE TRAINING CONSTR	5,600.0	5,600.0	.0	.0	.0
01G0	FNM FESTIVAL FACIL	5,000.0	.0	5,000.0	.0	.0
01K0	HANDICAP CONSTR-1979	12,057.0	12,057.0	.0	.0	.0
01L0	HE CONSTR (1979)	55,506.0	64,738.0	9,232.0	7,204.0	4,793.0
01V0	CONV & TRADE CTR ACC	87,513.0	.0	87,513.0	.0	.0
0140	FOREST DEVEL ACCT	410.0	380.0	30.0	3,830.2	3,705.5
0320	STATE EMERG WATER PR	480.0	480.0	.0	.0	.0
0350	CAP BLDG CONST ACCT	3,331.0	2,525.0	806.0	3,862.8	4,157.8
0410	RESOURCE MNGT-STATE	3,361.4	3,481.4	120.0	5,951.2	5,101.5
0420	CEP & RI ACCT	334.0	334.0	.0	255.0	255.0
0430	CAP PURC/DEVEL ACCT	.0	.0	.0	862.3	2,766.0
0510	ST LIR ACCT-WASTE DI	258.3	258.3	.0	.0	.0
0530	SALMON ENH CONS ACCT	5,000.0	5,000.0	.0	.0	.0
0550	LIR ACCT WASTE DP 80	195.8	195.8	.0	668.9	668.9
0560	ST HE CONSTR ACCT	1,576.8	3,032.9	1,456.1	19,486.7	11,248.6
0570	ST BLDG CONSTR ACCT	5,306.6	6,886.6	1,580.0	108,545.3	59,247.0
0590	CC CAP INFROV ACCT	145.5	145.5	.0	.0	.0
0600	CC CAP PROJECT ACCT	81.6	81.6	.0	.0	.0
0610	EWU CAP PROJECT ACCT	455.0	455.0	.0	2,166.0	2,166.0
0620	WSU BLDG ACCT	3,387.0	3,387.0	.0	20,742.0	20,161.0
0630	CRJ CAP PROJECT ACCT	2,872.6	2,892.6	20.0	4,812.3	3,628.3
0640	UN BLDG ACCT	.0	.0	.0	5,872.0	5,563.0
0650	WNU CAP PROJ ACCT	1,470.0	1,220.0	250.0	3,205.0	2,405.0
0660	TESC CAP PROJ ACCT	120.0	120.0	.0	319.0	319.0
0680	CC CAP CONSTR ACCT	2,191.0	2,191.0	.0	.0	.0
0700	OUTDOOR REC ACCT-ST	6,162.6	10,255.2	4,092.6	2,401.8	1,422.6
0702	OUTDOOR REC ACC-FED	1,268.5	1,268.5	.0	2,036.8	938.0
0720	LIRA - WATER SUPPLY	559.4	559.5	.1	.0	.0
0730	LIRA - RECREATION	.0	.0	.0	1,112.3	791.6
0740	ST LIR ACCT-SHS FAC	.0	.0	.0	.0	1,300.0
0750	DSHS CONSTR ACCT	59,772.8	56,252.1	3,520.7	32,534.9	73,391.1
0780	FISH CAP PROJ ACCT	3,551.8	3,551.8	.0	2,524.9	1,307.1
1040	GAME FUND-STATE	1,429.0	1,117.0	312.0	3,660.0	3,584.0
1042	GAME FUND-FEDERAL	.0	62.7	62.7	11,589.2	11,589.2
1100	GAME SPEC WILDLIFE	.0	.0	.0	62.9	62.9
1130	COM SCHL CONSTR FUND	50,000.0	50,000.0	.0	146,600.0	123,900.0
1192	UNEMPL COMP ADM--FED	545.0	545.0	.0	246.3	246.3
2526	LOCAL PLANT--NON-APP	.0	.0	.0	46,279.0	46,279.0
6080	ACCIDENT FUND	.0	.0	.0	61.5	.0
6090	MEDICAL AID FUND	.0	.0	.0	402.5	209.2
***	GRAND TOTAL ALL FUNDS	321,143.5	240,339.5	80,804.0	441,355.1	394,528.3

(DOLLARS IN THOUSANDS)



## 1983-85 Capital Budget — Project Summary — Secretary of State

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8101	REGIONAL ARCHIVES RENOVATION--CENTRAL WA	.0	.0	.0	25.0	25.0	.0
8102	REGIONAL ARCHIVES RENOVATION--KING CO.	.0	.0	.0	48.0	48.0	.0
8301	CONSERVATION LAB FOR ARCHIVES -- OLYMPIA	.0	.0	.0	37.8	37.8	.0
8304	RENOVATIONS TO RADAR TOWER-BLAINE	.0	.0	.0	37.0	37.0	.0
	TOTAL AGENCY	.0	.0	.0	147.8	147.8	.0

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — State Treasurer

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7999	REPAY ADVANCES OF BOND PROCEEDS	.0	17,300.0	17,300.0	.0	.0	.0
	TOTAL AGENCY	.0	17,300.0	17,300.0	.0	.0	.0

(DOLLARS IN THOUSANDS).

## 1983-85 Capital Budget — Project Summary — General Administration

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7519	CAPITOL LAKE - REHABILITATION	1,400.0	809.0	591.0-	.0	.0	.0
7909	POWERHOUSE EQUIPMENT MOD & REPAIRS	200.0	200.0	.0	.0	.0	.0
7912	CAMPUS ELECTRICAL REPAIRS	700.0	490.0	210.0-	.0	.0	.0
7913	ELEVATOR & ESCALATOR REPAIRS	350.0	345.0	5.0-	.0	.0	.0
8101	ENERGY AUDITS	3,971.6	3,971.6	.0	.0	.0	.0
8102	ELECTRICAL ENERGY CONSERVATION	100.0	100.0	.0	.0	.0	.0
8103	NORTHERN STATE HOSPITAL REPAIRS	150.0	150.0	.0	.0	.0	.0
8109	OB-2 WINDOW REPAIRS	106.0	106.0	.0	.0	.0	.0
8204	MODULAR STATE PRINTER	1,040.0	1,017.0	23.0-	.0	.0	.0
8205	G.A. BUILDING DESIGN	435.0	435.0	.0	.0	.0	.0
8301	EMERGENCY REPAIR PROJECTS	.0	.0	.0	288.2	288.0	.2-
8302	NON-DEFERRABLE REPAIR PROJ	.0	.0	.0	764.7	600.0	164.7-
8303	UNANTICIPATED REPAIR REQ-CAP CAMPUS	.0	.0	.0	288.2	288.0	.2-
8304	MINOR IMPROVEMENTS	.0	.0	.0	197.7	77.0	120.7-
8305	REP & IMP CAMPUS CONVEY SYST--PHASE I	.0	.0	.0	192.7	193.0	.3
8306	CAMPUS ROOF REPAIRS	.0	.0	.0	357.6	358.0	.4
8307	DOMESTIC WATER MAIN REPAIRS	.0	.0	.0	175.1	175.0	.1-
8308	STATE LIBRARY FIRE PROTECTION SYSTEM	.0	.0	.0	399.0	399.0	.0
8309	CAMPUS BLDGS SAFETY INSPECTION	.0	.0	.0	185.3	.0	185.3-
8310	HVAC REPLACEMENT & MODIFICATION	.0	.0	.0	500.0	500.0	.0
8311	BLDG EXTERIOR CLEANING & REPAIR	.0	.0	.0	165.0	.0	165.0-
8312	EXT/MOD CENTRL MONITOR/CNTL SYS--PHASE I	.0	.0	.0	12.0	.0	12.0-
8313	CAMPUS ACCESSIBILITY IMPROVEMENTS	.0	.0	.0	298.6	293.0	5.6-
8314	ALTERATIONS TO GEN ADMIN BLDG	.0	.0	.0	4,863.4	3,890.0	973.4-
8315	ENERGY RETROFIT PROJECTS	.0	.0	.0	877.8	878.0	.2
8316	ALTERATIONS TO HOUSE OFFICE BLDG	40.0	40.0	.0	.0	1,452.0	1,452.0
8318	ST BLDG ACQUISITION SEATTLE--STUDY	.0	.0	.0	10.0	.0	10.0-
8319	INTERIOR WALL REPAIR--LEG BLDG	.0	.0	.0	10.0	.0	10.0-
8320	REPAIRS TO PLAZA GARAGE	.0	.0	.0	362.3	362.0	.3-
8321	NORTH ST MULTI-SER CTR UTIL REP--PHASE I	.0	.0	.0	100.0	100.0	.0
8322	RENOVATE FORMER COURTHOUSE	.0	.0	.0	125.0	.0	125.0-
8324	ACQUIRE MCNEIL ISLAND	.0	.0	.0	8,800.0	8,800.0	.0
8325	PUBLIC LANDS ALTERATIONS	.0	.0	.0	.0	885.0	885.0
TOTAL AGENCY		8,492.6	7,663.6	829.0-	18,972.6	19,538.0	565.4

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — Emergency Services

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8301	EMERGENCY OPERATIONS CENTER	.0	.0	.0	37.0	37.0	.0
	TOTAL AGENCY	.0	.0	.0	37.0	37.0	.0

(DOLLARS IN THOUSANDS)

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 1983-85 Capital Budget — Project Summary — Department of Labor and Industries
 

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PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8301	OMNIBUS REPAIR--BUKNER REHAB CENTER	.0	.0	.0	341.0	209.2	131.8-
8390	OFFICE FEASIBILITY STUDY	.0	.0	.0	123.0	.0	123.0-
	TOTAL AGENCY	.0	.0	.0	464.0	209.2	254.8-

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — Military Department

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7705	200 MAN ARMORY--VANCOUVER	139.0	117.0	22.0-	271.1	.0	271.1-
8103	200 MAN ARMORY--SO KING COUNTY	20.0	20.0	.0	1,775.0	1,775.0	.0
8301	TACOMA ARMORY RENOVATION	.0	.0	.0	120.0	120.0	.0
8302	OMNIBUS REPAIRS AND IMPROVEMENTS	.0	.0	.0	875.0	724.0	151.0-
8304	FT. LEWIS MAINTENANCE SHOP	.0	.0	.0	1,437.6	1,438.0	.4
8305	EPHRATA ORGANIZATIONAL MAINTNCE SHOP	.0	.0	.0	192.9	193.0	.1
TOTAL AGENCY		159.0	137.0	22.0-	4,671.6	4,250.0	421.6-

(DOLLARS IN THOUSANDS)

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
29X	REFERENDUM 29 INTEREST FUNDS	.0	.0	.0	.0	1,300.0	1,300.0
79X	REFERENDUM 37	12,057.0	12,057.0	.0	.0	.0	.0
7904H	PREPLANNING	90.0	90.0	.0	.0	.0	.0
7909H	SECTION 504--HANDICAPPED COMPLIANCE	190.0	10.0	180.0-	.0	.0	.0
8107	OMNIBUS PROJECTS	783.2	783.2	.0	.0	.0	.0
8111	ENERGY MANAGEMENT AT DSHS INSTITUTIONS	750.0	750.0	.0	.0	.0	.0
8301	VARIOUS PROJECTS--STATEWIDE	.0	.0	.0	2,978.4	2,637.6	340.8-
8302	PREPLANNING	.0	.0	.0	90.0	.0	90.0-
8310	ENERGY MANAGEMENT AT DSHS INSTITUTIONS	.0	.0	.0	1,174.9	1,174.9	.0
8318	CONSTRUCT/EQUIP STATE HEALTH LABORATORY	675.0	675.0	.0	10,163.1	10,163.1	.0
TOTAL AGENCY (DOLLARS IN THOUSANDS)		14,545.2	14,365.2	180.0-	14,406.4	15,275.6	869.2

1983-85 Capital Budget — Project Summary — DSHS — Juvenile Rehabilitation

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
8125	RENOVATE KITCHEN NASELLE YOUTH CAMP	60.0	60.0	.0	.0	.0	.0
8303	REPAIR/REPLACE ROOFS--ECHO GLEN	.0	.0	.0	1,231.7	1,231.7	.0
8307	REPAIR UTILITIES--MAPLE LANE SCHOOL	.0	.0	.0	609.1	609.1	.0
8308	REPAIR UTILITIES--GREEN HILL SCHOOL	.0	.0	.0	307.0	307.0	.0
8320	UPGRADE VOC & EDUC BLDGS--GREEN HILL	365.0	365.0	.0	.0	.0	.0
TOTAL AGENCY		425.0	425.0	.0	2,147.8	2,147.8	.0

(DOLLARS IN THOUSANDS).



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 1983-85 Capital Budget — Project Summary — DSHS — Mental Health
 

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PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7905	225 BED FACILITY - WESTERN STATE HOSP	1,663.0	1,113.0	550.0-	.0	.0	.0
7911	130 BED - EASTERN STATE HOSPITAL	50.0	50.0	.0	.0	.0	.0
8133	HEALTH, SAFETY UTIL-WESTERN STATE HOSP	838.0	838.0	.0	.0	.0	.0
8305	INSTALL EMERG GENERATOR--WEST STATE HOSP	.0	.0	.0	655.7	655.7	.0
8306	FIRE AND SAFETY IMPROVE--WEST STATE HOSP	.0	.0	.0	289.0	289.0	.0
8312	REPLACE COTTAGES--CHILD STUDY&TREAT CTR	.0	.0	.0	245.0	245.0	.0
8316	RENOVATE WARDS--EASTERN STATE HOSPITAL	.0	.0	.0	3,293.9	502.3	2,791.6-
8317	RENOVATE WARDS--WESTERN STATE HOSPITAL	.0	.0	.0	4,004.7	377.1	3,627.6-
	TOTAL AGENCY	2,551.0	2,001.0	550.0-	8,488.3	2,069.1	6,419.2-

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — DSHS — Developmentally Disabled

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
8223	LAKELAND VILLAGE--PHASE IV	6,250.0	4,824.5	1,425.5-	.0	.0	.0
8304	REPAIR/REPLACE ROOF--INTERLAKE SCHOOL	.0	.0	.0	345.9	345.9	.0
8309	REPAIR/UPGRADE UTIL(PHASE IV)--FIRCREST	75.0	75.0	.0	1,115.0	1,615.0	500.0
8314	YAKIMA VALLEY SCHOOL--PHASE III	328.3	83.7	244.6-	6,031.5	.0	6,031.5-
8315	FRANCES HADDON MORGAN CHILD CT--PHASE II	.0	.0	.0	.0	2,612.5	2,612.5
8322	RAINIER SCHOOL--PHASE IV	9,174.8	9,174.8	.0	.0	.0	.0
TOTAL AGENCY		15,828.1	14,158.0	1,670.1-	7,492.4	4,573.4	2,919.0-
(DOLLARS IN THOUSANDS)							

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 1983-85 Capital Budget — Project Summary — Veterans Affairs
 

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PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
8101	OMNIBUS REPAIRS & UPGRADES	334.0	334.0	.0	.0	.0	.0
8301	OMNIBUS CONTINGENCY--EMERGENCY REPAIRS	.0	.0	.0	255.0	255.0	.0
8302	EASTERN WASH VETERANS HOME	.0	.0	.0	3,328.5	.0	3,328.5-
	TOTAL AGENCY	334.0	334.0	.0	3,583.5	255.0	3,328.5-

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — Department of Corrections

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8101	500-BED CORRECTION CENTER--WA ST REFORM	12,970.0	12,970.0	.0	.0	.0	.0
8102	REPAIR FACILITIES & UTILITIES--MICC	1,000.0	1,000.0	.0	.0	.0	.0
8107B	OMNIBUS	200.0	200.0	.0	.0	.0	.0
8121	INSTITUTIONAL INDUSTRIES EQUIPMENT	139.0	.0	139.0-	.0	.0	.0
8301	500-BED MED SECUR CORREC CTR--CLALLAM BAY	7,480.0	7,148.4	331.6-	33,247.3	33,247.3	.0
8302	500-BED MED SECUR CORREC CTR--GRANDVIEW	2,150.0	1,500.0	650.0-	.0	.0	.0
8303	IMPR SECURITY, FAC, & UTIL (WSP)--PHASE II	14,000.0	14,000.0	.0	6,480.8	6,480.8	.0
8304	IMPR FACILITIES (WA ST REFORM)--PHASE II	146.5	146.5	.0	17,017.1	10,897.1	6,120.0-
8305A	EMERGENCY AND UNACTICIPATED PROJECTS	.0	.0	.0	337.0	337.0	.0
8305B	VARIOUS PROJECTS--STATEWIDE	.0	.0	.0	1,943.2	1,943.2	.0
8306	WATER SYSTEM--SOC/WSR/500-BED CORR CTR	.0	.0	.0	668.3	668.3	.0
8307	RENOVATE FARM HOUSING--MICC	.0	.0	.0	871.2	871.2	.0
8309	MENTAL HEALTH UNIT--WCC	.0	.0	.0	320.0	320.0	.0
8310	INMATE LIVING UNITS--MAX SECUR PTCW	.0	.0	.0	5,161.1	280.8	4,880.3-
8311	BAG HOUSE--WCC	.0	.0	.0	1,424.5	1,424.5	.0
8316	RENOVATE HEATING & VENTILATION SYS--MICC	395.0	395.0	.0	.0	.0	.0
8323	FERRY BOAT--MICC	.0	.0	.0	335.0	335.0	.0
8329	ENLARGE/REMODEL (ADD 600 BEDS)--WCC	.0	.0	.0	21,400.0	18,510.0	2,890.0-
8390	FEAS STD--GRAY&HOUTON HALLS-N. S. HOSP	.0	.0	.0	75.0	.0	75.0-
TOTAL AGENCY (DOLLARS IN THOUSANDS)		38,480.5	37,359.9	1,120.6-	89,280.5	75,315.2	13,965.3-

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 1983-85 Capital Budget — Project Summary — State Board of Education
 

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PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7701	PUBLIC SCH BLDG CONSTRUCTION 1975	800.0	800.0	.0	.0	.0	.0
7701B	PUBLIC SCH BLDG CONSTRUCTION 1977	800.0	800.0	.0	.0	.0	.0
7901	PUBLIC SCH BLDG CONSTRUCTION 1979	2,400.0	2,400.0	.0	.0	.0	.0
7902	PUBLIC SCH BLDG CONSTRUCTION 1979	2,400.0	2,400.0	.0	.0	.0	.0
8101	PUBLIC SCH BLDG CONSTRUCTION 1981	43,600.0	43,600.0	.0	.0	.0	.0
832A	PUBLIC SCH BLDG CONSTRUCTION 1983	.0	.0	.0	146,600.0	123,900.0	22,700.0-
TOTAL AGENCY		50,000.0	50,000.0	.0	146,600.0	123,900.0	22,700.0-

(DOLLARS IN THOUSANDS)

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1983-85 Capital Budget — Project Summary — State Board for Community College Education

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
7701	CONTINUING COMM COLL PROJECTS	305.7	305.7	.0	.0	.0	.0
7921	HANDICAPPED MODIFICATIONS	152.0	152.0	.0	.0	.0	.0
81E	LOWER COLUMBIA--VOCATIONAL FACILITY	235.0	235.0	.0	.0	.0	.0
8101	EMERGENCY REPAIRS	563.1	563.1	.0	.0	.0	.0
8101A	SCCC MAIN PARKING FACILITY	332.0	332.0	.0	.0	.0	.0
8102	NONDEFERRABLE REPAIRS	196.9	196.9	.0	.0	.0	.0
8103	NON-DEFERRABLE IMPROVEMENTS	107.5	107.5	.0	.0	.0	.0
8104	CODE COMPLIANCE	43.9	43.9	.0	.0	.0	.0
8105	MINOR REPAIR PROJECTS	693.4	693.4	.0	.0	.0	.0
8106	MINOR REPAIRS AND IMPROVEMENTS	21.4	21.4	.0	.0	.0	.0
8107	EMERGENCY FUNDS	79.6	79.6	.0	.0	.0	.0
8109	RMI DISTRICT FUNDS	689.0	689.0	.0	.0	.0	.0
8111	MINOR IMPROVEMENTS	443.1	443.1	.0	.0	.0	.0
8112	CAMPUS IMPROVEMENTS	141.5	141.5	.0	.0	.0	.0
8113	MINOR IMPROVEMENT PROJECTS	107.4	107.4	.0	.0	.0	.0
83A	EMERGENCY REPAIR & RMI FUNDS	.0	.0	.0	3,400.0	500.0	2,900.0-
83A1	MINOR CAPITAL IMPROVEMENTS	.0	.0	.0	.0	2,900.0	2,900.0
83B	ROOF REPAIRS	.0	.0	.0	2,050.6	2,050.6	.0
83C1	CODE REQUIREMENTS	.0	.0	.0	.0	57.0	57.0
83C2A	ELECTRICAL REPAIRS	.0	.0	.0	707.5	707.5	.0
83C2B	GENERAL REPAIRS	.0	.0	.0	734.6	734.6	.0
83C2C	HVAC REPAIRS	.0	.0	.0	623.6	1,091.9	468.3
83D	MINOR REMODEL PROJECTS	.0	.0	.0	182.2	.0	182.2-
83E	ADDITIONS & MINOR NEW SPACE PROJECTS	.0	.0	.0	708.2	.0	708.2-
83F	UTILITY & SITE IMPROVEMENT PROJECTS	.0	.0	.0	104.0	.0	104.0-
83J	ACQUIRE LAND--GRN RIV,HIGHLINE,GRAYS HAR	.0	.0	.0	3,390.0	25.0	3,365.0-
8390	REPLACE HEATING SYS-CLARK COMM COLLEGE	.0	.0	.0	4,800.0	396.0	4,404.0-
TOTAL AGENCY		4,111.5	4,111.5	.0	16,700.7	8,462.6	8,238.1-
(DOLLARS IN THOUSANDS)							

## 1983-85 Capital Budget — Project Summary — Commission on Vocational Education

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7901	STATE FIRE SERVICE TRAINING CENTER	5,600.0	5,600.0	.0	.0	.0	.0
	TOTAL AGENCY	5,600.0	5,600.0	.0	.0	.0	.0

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — University of Washington

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW_APPR	LEG NEW_APPR	\$ DIFF LEG-GOV NEW_APPR
7910	HEALTH SCIENCES E&F WINGS RENOVATION	200.0	200.0	.0	.0	.0	.0
8116A	POWER PLANT REPLACEMENT	190.0	190.0	.0	.0	.0	.0
8117	MARINE SCIENCES 1A	300.0	400.0	100.0	.0	.0	.0
8133B	HOSPITAL LAUNDRY	4,190.0	4,190.0	.0	.0	.0	.0
8133C	HOSPITAL GENERAL SERVICES FACILITY	278.0	278.0	.0	.0	.0	.0
8133D	HOSPITAL EXPANSION	38,025.0	38,025.0	.0	.0	.0	.0
8301	SAFETY--HIGH RISE FIRE SAFETY	.0	.0	.0	2,750.0	2,750.0	.0
8302	SAFETY--J WING HAZARDOUS WASTE	.0	.0	.0	484.0	484.0	.0
8303	SAFETY--EMERGENCY POWER	.0	.0	.0	355.0	355.0	.0
8304	SAFETY--GENERAL	.0	.0	.0	500.0	500.0	.0
8305	MINOR REPAIRS & IMPROVEMENTS	.0	.0	.0	5,339.0	5,339.0	.0
8306	EQUIPMENT	.0	.0	.0	3,969.0	3,969.0	.0
8307	UTILITIES--FRIDAY HARBOR SEWER	.0	.0	.0	277.0	277.0	.0
8308	UTILITIES--POWER PLANT IMPROVEMENTS	.0	.0	.0	700.0	.0	700.0-
8310	ENERGY CONSERVATION--CENTRAL	.0	.0	.0	850.0	.0	850.0-
8311	ENERGY CONSERVATION--GENERAL	.0	.0	.0	150.0	150.0	.0
8312	ROBERTS HALL	.0	.0	.0	4,000.0	4,000.0	.0
8314	HSB G WING	.0	.0	.0	310.0	.0	310.0-
8315	STADIUM	.0	.0	.0	3,473.0	3,473.0	.0
8317	FISHERIES	.0	.0	.0	860.0	.0	860.0-
8320	HOSPITAL MINOR REPAIRS & EQUIPMENT	.0	.0	.0	9,661.0	9,661.0	.0
8321	HOSPITAL HIGH RISE FIRE SAFETY	.0	.0	.0	478.0	478.0	.0
8322	HOSPITAL AMBULATORY CARE RENOVATION	.0	.0	.0	1,670.0	1,670.0	.0
8323	HOUSING--OUGL--FOOD SERVICE	.0	.0	.0	300.0	300.0	.0
8324	HOUSING--HIGH RISE FIRE SAFETY	.0	.0	.0	657.0	657.0	.0
8325	PARKING MONTLAKE TRIANGLE GARAGE	.0	.0	.0	5,628.0	5,628.0	.0
TOTAL AGENCY		43,183.0	43,283.0	100.0	42,411.0	39,691.0	2,720.0-
(DOLLARS IN THOUSANDS)							



## 1983-85 Capital Budget — Project Summary — Washington State University

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7910	MULTIPURPOSE ANIMAL HOLDING FACILITY	681.0	681.0	.0	.0	.0	.0
8101	MINOR CAPITAL IMPROVEMENTS	2,580.0	2,580.0	.0	.0	.0	.0
8102	FULMER HALL RENOVATION--PHASE II	578.0	578.0	.0	.0	.0	.0
8104	COLLEGE HALL RENOVATION--PHASE II	2,362.0	2,362.0	.0	.0	.0	.0
8105	SCIENCE HALL RENOVATION--PHASE I	3,899.0	3,899.0	.0	.0	.0	.0
8116	WASTE WATER TREATMENT PLANT	807.0	807.0	.0	.0	.0	.0
8301	MINOR CAPITAL IMPROVEMENTS	.0	.0	.0	5,389.0	5,389.0	.0
8302	ELECTRICAL/MECHANICAL ENGINEERING	.0	.0	.0	13,776.0	13,776.0	.0
8303	FULMER HALL RENOVATION--PHASE II	.0	.0	.0	1,856.0	1,856.0	.0
8303A	NEW SCIENCE FACILITY	.0	.0	.0	1,061.0	1,061.0	.0
8304	FOOD PROC PILOT PLANT & HUMAN NUTR LAB	.0	.0	.0	581.0	.0	581.0-
8305	MCCOY HALL REMODELING--PHASE II	.0	.0	.0	1,608.0	1,608.0	.0
8308	STIMSON HALL RENOVATION	.0	.0	.0	5,332.0	5,332.0	.0
8309	FAMILY STUDENT HOUSING REPLACE--PHASE II	.0	.0	.0	3,700.0	3,700.0	.0
8310	PARKING STRUCTURE	.0	.0	.0	4,098.0	4,098.0	.0
	TOTAL AGENCY (DOLLARS IN THOUSANDS)	10,907.0	10,907.0	.0	37,401.0	36,820.0	581.0-

1983-85 Capital Budget — Project Summary — Eastern Washington University

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7701	COM/EQUIP NEW PE FIELDHOUSE	25.0	25.0	.0	.0	.0	.0
7901	DES/REM/REN/EQUIP MARTIN HALL	70.0	70.0	.0	.0	.0	.0
7904	COMPLIANCE, SEC 504/HDCP ACCESS	50.0	50.0	.0	.0	.0	.0
8102	DES/REN/EQP MAN ARTS, SUTTON HALL	4,781.0	4,781.0	.0	.0	.0	.0
8105	MINOR CAP IMPS FACIL DEF/IMP UTILIZ	260.0	260.0	.0	.0	.0	.0
8109	REPLACE INSTRUCTIONAL SUPP EQUIP	125.0	125.0	.0	.0	.0	.0
8301	SCIENCE BLDG ADD/REMODEL PLANNING	.0	.0	.0	400.0	400.0	.0
8303	MINOR CAPITAL IMPROVEMENTS	.0	.0	.0	2,731.0	2,731.0	.0
8311	CAMPUS DORM FIRE SAFETY IMPROVEMENTS	.0	.0	.0	410.0	410.0	.0
TOTAL AGENCY		5,311.0	5,311.0	.0	3,541.0	3,541.0	.0

(DOLLARS IN THOUSANDS)

## 1983-85 Capital Budget — Project Summary — Central Washington University

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7903	UTILITY EXTENSION	198.0	218.0	20.0	.0	.0	.0
7905	MINOR ALTERATIONS	235.0	235.0	.0	.0	.0	.0
7910	MCCONNELL RENOVATION	22.0	50.0	28.0	.0	.0	.0
8103	MINOR CAPITAL	354.2	354.2	.0	.0	.0	.0
8104	ASBESTOS REMOVAL	86.0	86.0	.0	.0	.0	.0
8105	UTILITIES IMPROVEMENT	240.0	240.0	.0	.0	.0	.0
8106	ENERGY SAVINGS--BOILER HOUSE	310.0	310.0	.0	.0	.0	.0
8107	ENERGY SAVINGS--SUPERVISORS CONTROL SYS	866.0	866.0	.0	.0	.0	.0
8124	COMPUTER SYSTEMS	27.9	27.9	.0	.0	.0	.0
8202	UTILITIES IMPROVEMENTS	233.9	233.9	.0	.0	.0	.0
8203	MINOR CAPITAL	317.1	317.1	.0	.0	.0	.0
8302	BARGE HALL RENOVATION	4.5	4.5	.0	490.0	.0	490.0-
8303	MINOR CAPITAL IMPROVEMENTS	.0	.0	.0	1,509.0	1,509.0	.0
8304	COMPUTER CENTER EQUIPMENT	.0	.0	.0	475.0	475.0	.0
8305	COMPUTER CENTER ADDITION	.0	.0	.0	182.8	182.8	.0
8306	BOUILLON HALL REROOFING	.0	.0	.0	515.0	515.0	.0
8307	HOGUE TECHNOLOGY ADDITION	.0	.0	.0	946.5	946.5	.0
8308	STEAMLINE WALNUT TO CHESTNUT ST.	.0	.0	.0	694.0	.0	694.0-
8310	HANDICAPPED MODIFICATIONS	140.4	165.5	25.1	.0	.0	.0
8313	HOUSING AND FOOD SERVICES	.0	.0	.0	300.0	300.0	.0
TOTAL AGENCY		3,035.0	3,108.1	73.1	5,112.3	3,928.3	1,184.0-

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — The Evergreen State College

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
8107	INSTRUCTIONAL EQUIPMENT REPLACEMENT	120.0	120.0	.0	.0	.0	.0
8302	CODE COMPLIANCE	.0	.0	.0	180.0	180.0	.0
8303	REROOFING PROJECTS	.0	.0	.0	381.0	381.0	.0
8304	ENERGY PROJECTS	.0	.0	.0	117.0	117.0	.0
8307	MINOR PROJECTS--OMNIBUS REQUEST	.0	.0	.0	50.0	50.0	.0
8399	COMPUTER	.0	.0	.0	.0	405.0	405.0
	TOTAL AGENCY	120.0	120.0	.0	728.0	1,133.0	405.0

(DOLLARS IN THOUSANDS)

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 1983-85 Capital Budget — Project Summary — Western Washington University
 

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PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7908	SOUTH ACADEMIC BUILDING	150.0	150.0	.0	.0	.0	.0
81B	SOLID WASTE INCINERATION	120.0	120.0	.0	.0	.0	.0
8105	LAND ACQUISITION	250.0	.0	250.0-	.0	.0	.0
8302	ART/TECHNOLOGY BLDG	.0	.0	.0	572.0	572.0	.0
8303	BIOLOGICAL AND PHYSICAL SCIENCES	.0	.0	.0	800.0	.0	800.0-
8304	MINOR CAP IMP(SAFETY,ENERGY CONS,HANDIC)	950.0	950.0	.0	1,833.0	1,833.0	.0
8305	SHANNON POINT CONSORTIUM HOUSING	.0	.0	.0	442.0	442.0	.0
8306	MINOR CAP IMP--HOUSING,DINING,STU FACIL	.0	.0	.0	525.0	525.0	.0
8307	CAPITAL IMP--TRANSPORTATION PARKING SYS	.0	.0	.0	20.0	20.0	.0
TOTAL AGENCY		1,470.0	1,220.0	250.0-	4,192.0	3,392.0	800.0-

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — Department of Ecology

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
7702	VARIOUS WASTE DISPOSAL FACILITIES	181.2	181.2	.0	.0	.0	.0
7702A	ALTA LAKE SEWAGE-LOW WATER FIXTURES	77.1	77.1	.0	.0	.0	.0
7703	SACAJAWEA WATER CONNECT	124.8	124.9	.1	.0	.0	.0
8101	PADILLA BAY ESTUARINE SANCTUARY	800.0	800.0	.0	.0	.0	.0
8103	TEST OBSERVATION WELLS	480.0	480.0	.0	.0	.0	.0
8104A	CLIVUS - THREE MARINE PARKS	91.0	91.0	.0	.0	.0	.0
8104C	MARINE SEWAGE DISPOSAL	104.8	104.8	.0	.0	.0	.0
8105	ST. EDWARD - EXTEND WATER SYSTEM	220.0	220.0	.0	.0	.0	.0
8106	JONES ISLAND - EXTEND WATER SYSTEM	48.3	48.3	.0	.0	.0	.0
8107	BLAKE ISLAND - EXTEND WATER SYSTEM	87.7	87.7	.0	.0	.0	.0
8109	LARABEE - EXTEND WATER SYSTEM	43.6	43.6	.0	.0	.0	.0
8112	SUN LAKES - EXTEND WATER SYSTEM	35.0	35.0	.0	.0	.0	.0
8315	MORAN--SEWAGE FACILITIES MODIFICATION	.0	.0	.0	78.0	78.0	.0
8316	OCEAN CITY--SEWAGE SYSTEM RENOVATION	.0	.0	.0	120.4	120.4	.0
8317	SUN LAKES--SEWAGE SYSTEM RENOVATION	.0	.0	.0	312.7	312.7	.0
8318	BROOKS MEMORIAL--SEWAGE SYSTEM IMPROVEME	.0	.0	.0	92.7	92.7	.0
8319	ILLAHEE--RENOVATE SEWAGE SYSTEM	.0	.0	.0	38.8	38.8	.0
8320	PACIFIC BEACH--SEWAGE SYSTEM RENOVATION	.0	.0	.0	26.3	26.3	.0
TOTAL AGENCY		2,293.5	2,293.6	.1	668.9	668.9	.0
(DOLLARS IN THOUSANDS)							

## 1983-85 Capital Budget — Project Summary — Parks and Recreation

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7702	STATE-AQUIRE REC STATEWIDE	354.9	510.1	155.2	.0	.0	.0
7702B	STATE-WHATCOM W. TRAILS	30.0	30.0	.0	.0	.0	.0
7912	COPALIS OCEAN BEACH ACCESS	210.0	210.0	.0	.0	.0	.0
7919	STATE-FORT CANBY BOAT LAUNCH	44.0	44.0	.0	.0	.0	.0
7920	SPENCER SPIT DEVELOPMENT	170.0	170.0	.0	.0	.0	.0
7922	ACQUIRE SQUAK MT.	78.0	78.0	.0	.0	.0	.0
7927	CAMP WOOTEN RENOVATION	41.4	41.4	.0	.0	.0	.0
7932	ACQUIRE REC STATEWIDE	306.7	151.5	155.2-	.0	.0	.0
7933	CLALLAM SPIT DEVELOPMENT	177.0	177.0	.0	.0	.0	.0
8105	STATE-ACQUIRE LAND-YAKIMA GREENWAY	150.0	150.0	.0	.0	.0	.0
8110	FORT WORDEN BREAKWATER REPAIR	22.6	22.6	.0	.0	.0	.0
8112	POTHOLES CAR TOP LAUNCH	15.2	15.2	.0	.0	.0	.0
8118	DECEPTION PASS BOAT MOORAGE	51.2	51.2	.0	.0	.0	.0
8121	RIVERSIDE CAMPGROUND RENOVATION	106.0	106.0	.0	.0	.0	.0
8122	MT. SPOKANE PARKING-TRAIL DEV	106.4	106.4	.0	.0	.0	.0
8123	FORT WORDEN BATH HOUSE KITCHEN	89.9	89.9	.0	.0	.0	.0
8140	TWENTY-FIVE MILE CREEK	129.0	129.0	.0	.0	.0	.0
8151	SALTWATER DAY USE RENOVATION	87.7	87.7	.0	.0	.0	.0
8152	LARRABEE CAMPGROUND RENOVATION	137.2	137.2	.0	.0	.0	.0
8155	WENBERG DAY USE RENOVATION	134.1	134.1	.0	.0	.0	.0
8156	STATE-BOAT MOORAGE - 6 PARKS	139.5	139.5	.0	.0	.0	.0
8171A	MILLERSYLVANIA CCC BLDG RESTOR	169.4	169.4	.0	.0	.0	.0
8174	STATE-BIRCH BAY-RENOVATE CAMPSITES	45.7	45.7	.0	.0	.0	.0
8175	FORT CASEY SHORELINE PROTECTION	26.0	26.0	.0	.0	.0	.0
8301	ALL AREAS--FUNDS REQ'D FOR UNANTIC EXPEN	.0	.0	.0	400.0	400.0	.0
8302	FT WARDEN BLDG INSULATION--PHASE I	.0	.0	.0	255.2	255.2	.0
8303	FT FLAGLER--REPLACE UNDERGROUND POWER	.0	.0	.0	53.8	53.8	.0
8304	DECEPTION PASS (CORNET BAY)--KITCHEN REN	.0	.0	.0	69.8	.0	69.8-
8305	STATEWIDE--COMPL 79-80 ENER CONSERV PROG	.0	.0	.0	71.6	71.6	.0
8306	STATEWIDE--HOT WATER TANK INSULATION	.0	.0	.0	11.0	11.0	.0
8307	SPENCER SPIT--RESIDENCE CONSTRUCTION	.0	.0	.0	86.7	.0	86.7-
8308	STATEWIDE--SHOPS AT 5 PARKS	.0	.0	.0	164.2	.0	164.2-
8309	WOPACHUCK--TREAT WATER SYSTEM	.0	.0	.0	4.7	.0	4.7-
8310	SO WHIDBEY--AERATE WATER SYSTEM	.0	.0	.0	14.0	.0	14.0-
8311	FT COLUMBIA--WATER SYSTEM REVISION	.0	.0	.0	42.0	.0	42.0-
8312	BROOKS MEMORIAL--WELL/RESERVOIR	.0	.0	.0	39.6	.0	39.6-
8313	MILLERSYLVANIA--NEW POTABLE WATER SOURCE	.0	.0	.0	13.1	13.1	.0
8314	OCEAN CITY OBA--NEW POTABLE WATER SOURCE	.0	.0	.0	9.8	.0	9.8-
8321	GREEN RIVER GORGE--STAGED ACQUISITION	.0	.0	.0	500.0	.0	500.0-
8322	YAKIMA GREENWAY--ACQUISITION	.0	.0	.0	250.0	.0	250.0-
8323	LAKE SYLVIA--DAM INSPECTION	.0	.0	.0	21.5	21.5	.0

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — Parks and Recreation

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8325	STATEWIDE--HANDICAPPED ACCESS IMPROVE	.0	.0	.0	225.4	.0	225.4-
8326	ST EDWARD--INITIAL DAY USE DEVELOPMENT	.0	.0	.0	220.3	350.0	129.7
8327	BRIDLE TRAILS--PARKING LOT	.0	.0	.0	98.2	.0	98.2-
8330	BEACON ROCK--REPLACE FLOATS & PILING	.0	.0	.0	76.8	.0	76.8-
8331	HUMP ISLAND--INITIAL DEVELOPMENT	.0	.0	.0	23.8	.0	23.8-
8332	ILLAHEE--REPL BREAKWATER,RAMPS,FLOATS,PI	.0	.0	.0	180.8	.0	180.8-
8334	FT WARD -- BOAT LAUNCH ACCESS ROAD RELOC	.0	.0	.0	169.6	.0	169.6-
8338	BLAKE ISLAND--DOLPHIN REPLACEMENT	.0	.0	.0	30.6	.0	30.6-
8340	WENBERG--RENOVATE BOAT LAUNCH	.0	.0	.0	57.0	.0	57.0-
TOTAL AGENCY		2,821.9	2,821.9	.0	3,089.5	1,176.2	1,913.3-

(DOLLARS IN THOUSANDS)



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 1983-85 Capital Budget — Project Summary — Commerce and Economic Development
 

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PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7901	PACIFIC NORTHWEST FESTIVAL FACILITY	5,000.0	.0	5,000.0-	.0	.0	.0
7902	PUBLIC WORKS FINANCING	.0	.0	.0	.0	20,000.0	20,000.0
TOTAL AGENCY		5,000.0	.0	5,000.0-	.0	20,000.0	20,000.0

(DOLLARS IN THOUSANDS)

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1983-85 Capital Budget — Project Summary — Department of Fisheries

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
7702	REPLACEMENT & ALTERATIONS--VARIOUS HATCH	576.0	576.0	.0	.0	.0	.0
7703	IMP OPER/PROD EFFIC & FRESH WATER EVAL	96.6	96.6	.0	.0	.0	.0
7704	SALMON ENHANCEMENT PROGRAM	5,000.0	5,000.0	.0	.0	.0	.0
7705	ELLIOT BAY PIER SHELTERS	94.0	94.0	.0	.0	.0	.0
771A	HEALTH, SAFETY, AND CODE REQUIREMENTS	81.5	81.5	.0	190.4	190.4	.0
771B	POLLUTION ABATEMENT, POND CLEANING	280.8	280.8	.0	.0	.0	.0
771C	HANDICAPPED ACCESS	83.3	83.3	.0	.0	.0	.0
7902A	SKAGIT HATCHERY, JORDAN CR STABILIZATION	410.0	410.0	.0	.0	.0	.0
7903	AUXILIARY GENERATORS	180.0	180.0	.0	.0	.0	.0
7905	BOSTON HARBOR BOAT LAUNCH	50.0	50.0	.0	.0	.0	.0
7908	ARTIFICIAL REEFS--PHASES I,II,III	50.0	50.0	.0	150.0	150.0	.0
7909	WESTPORT WALKWAYS	168.0	168.0	.0	.0	.0	.0
7911	HOOD CANAL BRIDGE FISHING ACCESS	360.0	360.0	.0	.0	.0	.0
7912	SNOW CREEK BOAT LAUNCH--PHASE I	.0	.0	.0	145.0	145.0	.0
7917	TACOMA PUBLIC FISHING PIER	750.0	750.0	.0	.0	.0	.0
8101	AUXILIARY FUEL TANKS	72.0	72.0	.0	.0	.0	.0
8103	GREEN RIVER HATCHERY SAND SEPARATOR	4.0	4.0	.0	.0	.0	.0
8104	BUCK CREEK HOLDING & SPAWNING FACILITIES	310.0	310.0	.0	.0	.0	.0
8105	LEWIS RIVER ADULT HOLDING/SPAWNING POND	370.0	370.0	.0	.0	.0	.0
8106	GEO ADAMS HATCHERY--NEW INCUBATION SYS	382.7	382.7	.0	.0	.0	.0
8107	SUNSET FALLS FISHWAY INTAKE	35.0	35.0	.0	.0	.0	.0
8108	GREEN RIVER HATCHERY EROSION CONTROL	27.5	27.5	.0	.0	.0	.0
8109	VOLATILE PRODUCTS STORAGE	33.8	33.8	.0	.0	.0	.0
8114	OAKLAND BAY TIDELAND ACCESS	21.0	21.0	.0	.0	.0	.0
8115	SKAGIT HATCHERY--INTAKE REVISION	161.9	161.9	.0	.0	.0	.0
8128	HURD CREEK--REPLACE GRAVITY PIPELINE	177.3	177.3	.0	.0	.0	.0
8134	NEW CONSTRUCTION--STORAGE BLDGS	37.0	37.0	.0	.0	.0	.0
8136	GARRISON HATCH--DOMES WATER/INCIN TOILET	29.4	29.4	.0	.0	.0	.0
8137	SKYKOMISH HATCHERY INCUBATION	43.0	43.0	.0	.0	.0	.0
8139	ADULT TRAP WEIRS/SALMON EGG INCUB BOXES	75.0	75.0	.0	.0	.0	.0
8140	SOLEDUCK HATCHERY--ADULT POND SEPARATORS	32.0	32.0	.0	.0	.0	.0
8146	SOLEDUCK HATCHERY--REPAIR GABION SILL	45.0	45.0	.0	.0	.0	.0
8171	FRYE COVE BEACH ENHANCEMENT	35.0	35.0	.0	.0	.0	.0
8172	BYWATER BAY BEACH ENHANCEMENT	20.0	20.0	.0	.0	.0	.0
8173	PILLAR POINT	159.0	159.0	.0	.0	.0	.0
8199	SALMON NET PEN COMPLEX	8.0	8.0	.0	.0	.0	.0
8301	ENERGY CONSERVATION PROGRAM	.0	.0	.0	115.0	115.0	.0
8302	TWO NEMAH, ONE ISSAQUAH RESIDENCE RENOV	.0	.0	.0	95.4	.0	95.4
8303	SKYKOMISH SETTILING POND BYPASS	.0	.0	.0	110.8	.0	110.8
8304	COMBINED REPLACE & ALTER PROJECTS	.0	.0	.0	193.0	100.0	93.0
8305	RENOV WILLAPA FISH FOOD FREEZER	.0	.0	.0	269.1	269.1	.0

(DOLLARS IN THOUSANDS)

## 1983-85 Capital Budget — Project Summary — Department of Fisheries

PROJECT NO	PROJECT NAME	GOV	LEG	\$ DIFF	GOV	LEG	\$ DIFF
		RE-APPR	RE-APPR	LEG-GOV RE-APPR	NEW APPR	NEW APPR	LEG-GOV NEW APPR
8306	PT WHITNEY GROWTH POND	.0	.0	.0	84.3	84.3	.0
8307	REMODEL MONTESANO LABORATORY	.0	.0	.0	60.5	60.5	.0
8308	GREEN RIVER INCUBATION FILTER	.0	.0	.0	175.7	175.7	.0
8309	PUYALLUP FILTER & WATER SUPPLY	.0	.0	.0	117.1	117.1	.0
8310	SAMISH/PUYALLUP ADULT HOLDIN POND RENOV	.0	.0	.0	513.6	.0	513.6-
8311	NASELLE SETTLING POND	.0	.0	.0	75.0	75.0	.0
8312	HATCHERY SECURITY (ELECTRONIC)	.0	.0	.0	120.0	120.0	.0
8313	NEW HATCHERY RESIDENCE--GREEN RIVER	.0	.0	.0	80.0	.0	80.0-
8314	MINTER CREEK INCUBATION/GRNDWATER DEVEL	.0	.0	.0	325.0	.0	325.0-
8316	GARDINER BOAT LAUNCH DEVELOPMENT	.0	.0	.0	75.0	.0	75.0-
8317	FOX IS BOAT LAUNCH IMPROVEMENT	.0	.0	.0	244.0	.0	244.0-
TOTAL AGENCY		10,258.8	10,258.8	.0	3,138.9	1,602.1	1,536.8-
(DOLLARS IN THOUSANDS)							

1983-85 Capital Budget — Project Summary — Department of Game

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7901	SCREEN REPLACEMENT AND REPAIRS	139.7	139.7	.0	.0	.0	.0
8103	RELOCATE ENGINEERING SHOP	719.7	719.7	.0	.0	.0	.0
8104	REPAIR SKAGIT DIKE	299.3	50.0	249.3-	.0	.0	.0
8112	RINGOLD SPRINGS RESIDENCE	33.5	33.5	.0	.0	.0	.0
8122	RELOCATE SEATTLE OFFICE	316.0	316.0	.0	.0	.0	.0
8134	TENNANT LAKE ACQUISITION	152.0	153.0	1.0	.0	.0	.0
8136	TENNANT LAKE--DEVELOPMENT PMENT	186.0	186.0	.0	.0	.0	.0
8137	MERCER ISLAND--DOCK	58.0	58.0	.0	.0	.0	.0
8138	SNAKE RIVER--HELLER BASIN ACCESS	125.0	125.0	.0	.0	.0	.0
8139	LAKE WASHINGTON--KENMORE CESS	33.0	33.0	.0	.0	.0	.0
8141	CLEAR LAKE--FLOAT	22.0	22.0	.0	.0	.0	.0
8142	WENAS LAKE PUBLIC FISHING	70.0	70.0	.0	.0	.0	.0
8146	KLICKITAT RIVER--MITCHELL RIVER	64.0	64.0	.0	.0	.0	.0
8301	EMERGENCY REPAIRS AND REPLACEMENTS	.0	.0	.0	200.0	200.0	.0
8302	FACILITY MAINTENANCE & REPAIR	.0	.0	.0	351.0	285.0	66.0-
8303	PREPLANNING & DESIGN	.0	.0	.0	32.0	32.0	.0
8304	ACCESS AREA TOILET REPLACEMENT	.0	.0	.0	200.0	200.0	.0
8305	STATEWIDE FENCING	.0	.0	.0	411.2	401.2	10.0-
8306	SO TACOMA HATCHERY--BROOD STOCK RACEWAYS	.0	.0	.0	120.0	120.0	.0
8307	BOGACHIEL RESIDENCE FLOOD CONTROL	.0	.0	.0	68.0	68.0	.0
8308	RINGOLD SPRINGS WATER SUPPLY	.0	.0	.0	70.0	70.0	.0
8309	SNAKE RIVER COMPENSATION	.0	.0	.0	11,223.0	11,223.0	.0
8310	SNIPES PROPERTY ACQUISITION	.0	.0	.0	618.0	618.0	.0
8311	SKOKOMISH RIVER--FISHING SITE	.0	.0	.0	9.0	9.0	.0
8312	LAND ACQUISITION--PHASE II	.0	.0	.0	212.0	212.0	.0
8313	I-82 ACCESS DEVELOPMENT	.0	.0	.0	413.0	413.0	.0
8314	MINERAL LAKE--ACQUISITION	.0	.0	.0	65.0	65.0	.0
8315	HEDT PROPERTY--ACQUISITION	.0	.0	.0	300.0	300.0	.0
8316	MCLAUGHLIN FALLS--ACQUISITION	.0	.0	.0	350.0	350.0	.0
8317	DEER RANGE ACQUISITION--PIPESTONE CANYON	.0	.0	.0	132.0	132.0	.0
8318	WENAS INHOLDINGS--ACQUISITION	.0	.0	.0	132.0	132.0	.0
8319	PEFLEY BAND-TAILED PIGEON SITE	.0	.0	.0	98.0	98.0	.0
8320	SKAGIT HAMA INHOLDINGS	.0	.0	.0	435.0	435.0	.0
8321	CHEHALIS VALLEY HMA	.0	.0	.0	500.0	500.0	.0
8322	COTTAGE LAKE--ACQUISITION	.0	.0	.0	68.0	68.0	.0
8324	KRESS LAKE--DEVELOPMENT	.0	.0	.0	41.8	41.8	.0
8325	AENEAS VALLEY--DEVELOPMENT	.0	.0	.0	106.2	106.2	.0
8326	AMBER LAKE--DEVELOPMENT	.0	.0	.0	84.2	84.0	.2-
8327	FERN LAKE--ACQUISITION	.0	.0	.0	47.0	47.0	.0
8329	BIG AND LITTLE GREEN LAKES	.0	.0	.0	93.2	93.2	.0
8330	HATT SLOUGH--DEVELOPMENT	.0	.0	.0	67.0	67.0	.0

(DOLLARS IN THOUSANDS)

## 1983-85 Capital Budget — Project Summary — Department of Game

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8331	DIAMOND LAKE REDEVELOPMENT	.0	.0	.0	53.4	53.4	.0
8333	MUNN LAKE DEVELOPMENT	.0	.0	.0	48.0	48.0	.0
8337	JAMISON LAKE REDEVELOPMENT	.0	.0	.0	282.4	282.4	.2
8344	WELLS DAM--ACQUISITION	.0	.0	.0	62.9	62.9	.0
<b>TOTAL AGENCY</b>		<b>2,218.2</b>	<b>1,969.9</b>	<b>248.3-</b>	<b>16,893.3</b>	<b>16,817.1</b>	<b>75.8-</b>

(DOLLARS IN THOUSANDS)

1983-85 Capital Budget — Project Summary — Department of Natural Resources

PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
7710	PASCO 16 PHASE I U.L.I.D.	.0	.0	.0	200.0	.0	200.0-
7714	CAP BUDGET REAPPS & REDMOND & ILLAHEE	1,364.7	1,364.7	.0	.0	.0	.0
7716	PREP SITES FOR COMMERCIAL LEASE TRAILS	245.1	245.2	.1	.0	.0	.0
7716A	CONST & IMP CAMPSITES/ROADS/TRAILS	609.2	609.3	.1	.0	.0	.0
7905	CONSTRUCT & IMPROVE ROADS & BRIDGE	205.0	205.0	.0	.0	.0	.0
7906	IRRIGATION DEVELOPMENT	1,781.7	1,781.7	.0	.0	.0	.0
7912	CAVABLAUSH BLOCK ROADS & BRIDGES	380.0	380.0	.0	.0	.0	.0
8123	MCDONALD MAINLINE	40.0	40.0	.0	.0	.0	.0
8199	ACQUISITION MILWAUKIE RR R/W	1,234.5	250.0	984.5-	.0	.0	.0
8202	CEDAR CREEK & SHERMAN VALLEY ROAD	80.0	80.0	.0	.0	.0	.0
8203	FOREST NURSERY SEEDLINGS	.0	90.0	90.0	.0	.0	.0
8301	SULTAN TRUSS BRIDGE	.0	.0	.0	561.1	561.1	.0
8303	RIGHT-OF-WAY ACQUISITION	.0	.0	.0	1,330.0	1,330.0	.0
8304	RESOURCE MNGT LAND BANK PURCHASES	.0	.0	.0	3,000.0	3,000.0	.0
8305	MANAGEMENT ROADS	.0	.0	.0	753.5	753.5	.0
8306	TIGER MT. ROCK PIT	.0	.0	.0	229.4	229.4	.0
8307	BUCKLIN HILL--SILVERDALE	.0	.0	.0	642.6	642.6	.0
8308	KENNEWICK 16 U.L.I.D.	.0	.0	.0	150.0	150.0	.0
8309	ILLAHEE U.L.I.D.	.0	.0	.0	281.8	281.8	.0
8313	IRRIGATION DEVELOPMENT	.0	.0	.0	1,891.9	1,891.9	.0
8317	KENNEWICK 16	.0	.0	.0	233.2	233.2	.0
8318	ELECTRONIC SITES & COMMERCIAL DEVELOPM	.0	.0	.0	379.5	.0	379.5-
8319	NURSERY PROJECTS	.0	.0	.0	276.6	.0	276.6-
8320	RECREATION PROJECTS	.0	.0	.0	734.2	.0	734.2-
8321	MARINE PROJECTS	.0	.0	.0	89.5	.0	89.5-
8323	CULVERT & BRIDGE MATERIAL	.0	.0	.0	187.0	.0	187.0-
8325	FUEL FACILITY PROJECTS	.0	.0	.0	.0	158.2	158.2
8327	MILWAUKEE RAILROAD	.0	.1	.1	.0	.0	.0
8399	HAWK QUARRY ACQUISITION	.0	.0	.0	.0	100.0	100.0
TOTAL AGENCY		5,940.2	5,046.0	894.2-	10,940.3	9,331.7	1,608.6-

(DOLLARS IN THOUSANDS)

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 1983-85 Capital Budget — Project Summary — Employment Security
 

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PROJECT NO	PROJECT NAME	GOV RE-APPR	LEG RE-APPR	\$ DIFF LEG-GOV RE-APPR	GOV NEW APPR	LEG NEW APPR	\$ DIFF LEG-GOV NEW APPR
8101	WALLA WALLA JOB SERVICE CENTER	545.0	545.0	.0	246.3	246.3	.0
	TOTAL AGENCY	545.0	545.0	.0	246.3	246.3	.0

(DOLLARS IN THOUSANDS)

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# APPENDICES



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## Bill Number to Session Law Table

Bill No.	Title	Chapter No.
<b>HOUSE BILLS</b>		
HB 1	Unemp benefits extended	C 1 L 83
SHB 16	School dist employees' service periods	C 69 L 83
SHB 20	Redistrict commission/temporary	C 6 L 83
HB 23	Industrial insurance/common carrier	C 170 L 83
SHB 24	Self-insurance employer/discipline	C 21 L 83
HB 25	Vocational rehabilitation	C 86 L 83
HB 32	Credit union regulations	C 37 L 83
HB 35	Fire protection services	C 87 L 83
HB 36	Sewer districts/formation	C 88 L 83
SHB 37	Bread loaves/size, weight	C 89 L 83
SHB 39	Sunset review procedures	C 27 L 83 PVE1
SHB 43	Limited casualty programs/\$500	C 43 L 83 E1
SHB 44	Solid waste facility/county	C 171 L 83
SHB 47	Municipal research council	C 22 L 83
SHB 51	Post retirement adjustments	C 56 L 83 E1
SHB 55	Capital budget	C 57 L 83 E1
HB 56	Higher ed/capital improvements bonds	C 58 L 83 E1
SHB 57	State buildings and facilities/bonds	C 54 L 83 E1
HB 58	Fisheries facilities/bonds	C 59 L 83 E1
HB 59	Apprenticeship/agrmts, fees	C 90 L 83
HB 61	Timber tax reserve/transfers	C 8 L 83
HB 63	Licensed practical nurses	C 55 L 83
SHB 64	Hazardous waste penalties	C 172 L 83
SHB 72	Tax provisions/misc.	C 55 L 83 E1
HB 74	Contracts, local government/limits	C 44 L 83 E1
HB 76	Reserve funds/cities, towns	C 173 L 83
HB 77	Port dist property/acquisition	C 24 L 83
HB 78	Water, sewer dist/contracts	C 38 L 83
SHB 81	WA state heritage council	C 91 L 83
HB 83	Higher ed personnel board meetings	C 23 L 83
HB 87	Metro municipal corp council	C 92 L 83
HB 89	Nuclear attack/emergency service funds	Full Veto
SHB 95	Oil permit/marine waters	C 138 L 83
SHB 99	Insanity/defendant acquitted	C 25 L 83
HB 102	Voc rehab/injured workers	C 70 L 83
HB 106	Educational service districts	C 56 L 83
HB 107	Self-ins/hospitals, school dists	C 174 L 83
HB 111	Water & sewer dist treasurer	C 57 L 83
HB 112	Water well contractors	C 93 L 83
SHB 114	Heating services/districts	C 94 L 83
SHB 116	Civil actions/settlement	C 282 L 83
SHB 117	Community college faculty/reduction	Full Veto
SHB 118	Agricultural fees	C 95 L 83
HB 125	Corrections/civil service exempt	C 175 L 83
SHB 126	Retirement contributions/withdrawn	C 233 L 83 PV
SHB 127	Travel/state reimbursement	C 29 L 83 E1
SHB 129	Vacation leave/state employees	C 283 L 83
SHB 134	Civil service/public employees	Full Veto
HB 136	Unfair labor prac/filing	C 58 L 83

## Bill Number to Session Law Table

Bill No.	Title	Chapter No.
<b>HOUSE BILLS--cont.</b>		
SHB 139	Insurance provisions	C 32 L 83 PVE1
SHB 143	Vehicle license fees	C 26 L 83
HB 144	License plates	C 27 L 83
HB 146	Asian-American Affairs Commission	C 119 L 83
HB 147	Homicide/definition	C 10 L 83
SHB 148	School districts' budgets & funds	C 59 L 83
HB 150	Campaign contributions over \$500	C 176 L 83
HB 153	Funds transfer/political cand	C 96 L 83
HB 164	British expo 86/participate	C 177 L 83
HB 174	Money judgments/court clerk	C 28 L 83
HB 175	Worker comp/definition worker	C 97 L 83
SHB 177	Water heaters maximum setting	C 178 L 83
SHB 179	Uniform Unclaimed Property Act	C 179 L 83
HB 180	Snowmobile adv comm/termin	C 139 L 83
HB 183	Eminent domain laws	C 140 L 83
HB 184	DOT to make contracts	C 29 L 83
HB 185	Highway routes/revising	C 180 L 83
SHB 187	Handicapped services	C 60 L 83
SHB 189	Bond sales/metro parks dist	C 61 L 83
SHB 197	Jurors/excused	C 181 L 83
HB 198	Hearing aids/regulating	C 39 L 83
SHB 203	Motor vehicle/underinsured	C 182 L 83
SHB 207	Railroad crossing signs	C 19 L 83
HB 208	Purch amt/max w/o competition	C 141 L 83
HB 216	Model traffic ordinance	C 30 L 83
HB 219	Merchandise coupons	C 40 L 83
2SHB 226	Export assistance centers	C 20 L 83 E1
2SHB 231	Job skill program	C 21 L 83 E1
SHB 232	Bids/in-state preference	C 183 L 83
SHB 233	Anadromous game fish	C 284 L 83
SHB 234	Transportation budget	C 53 L 83 PVE1
SHB 235	Gas tax provisions 1983-85	C 49 L 83 E1
HB 239	Exit polling	C 33 L 83 E1
SHB 240	Mail voting	C 71 L 83 E1
SHB 241	Juvenile offenders/education	C 98 L 83
2SHB 245	Economic development	C 60 L 83 E1
SHB 251	State employment and conservation corps	C 50 L 83 E1
HB 256	Penalty tax/land, 84.34 RCW	C 41 L 83
HB 259	Hulk haulers, vehicle repairman	C 142 L 83
HB 260	Criminal records/fees	C 184 L 83
SHB 263	Local tax/altering rates	C 99 L 83
SHB 266	Vote devices/single precinct	C 143 L 83
HB 269	Taxes/exempt property	C 185 L 83
HB 270	Developmentally disabled	C 145 L 83
HB 274	Savings & loan assns/names	C 42 L 83
HB 275	Mutual savings banks/provisions	C 44 L 83
SHB 278	Fisheries code/reorganizing	C 46 L 83 E1
HB 284	Marriage solemnization	C 186 L 83
HB 285	Motor vehicle funds/cities	C 43 L 83
HB 288	Corporation residence/define	C 31 L 83
SHB 289	DWI/license revocation	C 165 L 83

## Bill Number to Session Law Table

Bill No.	Title	Chapter No.
<b>HOUSE BILLS--cont.</b>		
2SHB 295	State employees/pay twice monthly	C 28 L 83 PVE1
SHB 296	School transportation	C 61 L 83 E1
SHB 297	Sentencing guidelines	C 115 L 83
HB 300	School directors' assn	C 187 L 83
HB 304	WSP special deputies/state employees	C 144 L 83
HB 305	Professional service corp	C 100 L 83
SHB 309	Physical therapist/licensing	C 116 L 83
HB 312	Mutual savings banks/conversion	C 45 L 83
HB 313	Fire protect/plan & comm aff	C 146 L 83
HB 318	Moorage facilities procedure	C 188 L 83
SHB 323	PUD/annex & consolidation	C 101 L 83
SHB 325	Funds & accts/obsolete abol	C 189 L 83
SHB 328	Judgments/equal interest	C 147 L 83
SHB 334	Resident student 5/31/82	C 285 L 83
SHB 336	Chiropractic service/coverage	C 286 L 83
HB 348	Corporation laws	C 32 L 83
HB 357	Veterinary board provisions	C 102 L 83
SHB 359	Health professions guideline	C 168 L 83 PV
SHB 366	Public entities/energy	C 62 L 83
HB 371	Health care service contracts	C 63 L 83
HB 373	Drug abuse adm brds/county	C 148 L 83
SHB 383	Health care provider/negligence	C 149 L 83
HB 387	Medical disciplinary account	C 71 L 83
SHB 390	Bonds/registration	C 167 L 83 PV
SHB 393	Streets/abutters improving	C 103 L 83
HB 399	Timber sales/state land	C 12 L 83 E1
SHB 409	Tuition waivers/nonresident	C 104 L 83
HB 413	Port dist property leases	C 64 L 83
HB 419	Cemeteries/filing reports	C 190 L 83
HB 420	Cemetery board/certification of authority	C 5 L 83 PVE1
SHB 426	Political activity/public employees	Full Veto
HB 428	Court procedures modify	C 45 L 83 E1
HB 430	Ed policies/temp committee	C 105 L 83
SHB 431	Juvenile offender/sentencing	C 191 L 83
SHB 433	Children and family services	C 192 L 83
SHB 434	Collective bargaining	C 287 L 83
HB 436	Wood collection fees/over 65	C 193 L 83
HB 441	Liquor service/international expos	C 13 L 83
HB 446	Personnel files access	Full Veto
SHB 452	Blind persons provisions	C 194 L 83
SHB 458	Antitrust/Consumer Protection Improvements Act	C 288 L 83
SHB 463	Judges full-time/definition	C 195 L 83
HB 466	Business inventories/taxes	C 62 L 83 E1
SHB 470	State funds/provisions	C 17 L 83 E1
HB 471	Judiciary education account	C 9 L 83 E1
SHB 476	Parole revocation & records	C 196 L 83
HB 479	Safe deposit companies	C 289 L 83
SHB 482	MV license plates/standards	C 72 L 83
SHB 484	Long-term care/ombudsman	C 290 L 83
HB 487	Chattel liens	C 33 L 83
SHB 488	Health maint organizations	C 106 L 83

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## Bill Number to Session Law Table

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Bill No.	Title	Chapter No.
<b>HOUSE BILLS--cont.</b>		
SHB 493	Termination/various agencies .....	C 197 L 83
SHB 495	Public retirement systems/adjustments .....	Full Veto
SHB 496	Senior citizens tax relief .....	C 11 L 83 E1
SHB 498	Driving while intoxicated .....	C 150 L 83
HB 511	Aquatic programs/local powers .....	C 291 L 83
HB 520	Low income utility users .....	C 198 L 83
SHB 522	Deportation/guilty plea .....	C 199 L 83
SHB 533	Deadbeat list/collect agency .....	C 107 L 83
HB 534	Public transportation benefit areas .....	C 65 L 83
SHB 539	Transit for elderly/fuel tax .....	C 108 L 83
SHB 540	Public transportation areas/treasurer .....	C 151 L 83
SHB 546	Wheelchair conveyances .....	C 200 L 83
SHB 547	Public depositories .....	C 66 L 83
SHB 548	Water supply operations .....	C 292 L 83
HB 555	Discrimination provision revised .....	C 293 L 83
HB 569	Public disclosure reports .....	C 294 L 83
HB 570	Agricultural education/vocational program .....	C 34 L 83 E1
SHB 576	Veterans relief fund .....	C 295 L 83
SHB 579	Prison work programs .....	C 296 L 83
HB 585	Salmon delivery permits .....	C 297 L 83
HB 588	Jail improvement and construction funds .....	C 63 L 83 E1
HB 595	Reservoir project/East Selah .....	C 18 L 83 E1
SHB 605	Convention and trade center .....	C 1 L 83 E2
SHB 620	Insurance fund/state employees .....	Full Veto
HB 643	Insurance claim/deceased persons .....	C 201 L 83
SHB 646	Public Accountancy Act of 1983 .....	C 234 L 83 PV
HB 653	Livestock markets .....	C 298 L 83
SHB 661	Forest protection provisions .....	C 299 L 83
SHB 667	Health service contractors .....	C 202 L 83
HB 674	Columbia River/sturgeon .....	C 300 L 83
HB 683	Workers comp awards/interest .....	C 301 L 83
2SHB 693	Institutional loan funds/transfers .....	C 64 L 83 E1
SHB 712	Hazardous waste program/funding .....	C 65 L 83 E1
SHB 719	School closure/procedures .....	C 109 L 83
HB 725	Session laws/publication .....	C 10 L 83 E1
SHB 740	Cost control task force .....	C 26 L 83 E1
HB 741	Deaths reporting/age change .....	C 110 L 83
HB 747	Uniform limited partnership .....	C 302 L 83
HB 753	Local improvements .....	C 303 L 83
HB 765	Workers' comp/injured worker .....	C 203 L 83
SHB 784	Economic & revenue forecasting .....	Full Veto
HB 787	Military reserve pay/unempl comp .....	C 67 L 83
SHB 790	Higher ed course designation .....	C 304 L 83
SHB 793	Agricultural commodities .....	C 305 L 83
SHB 796	Community development department .....	Full Veto
HB 804	Agencies/program goals & objectives .....	C 306 L 83
HB 817	Industrial accidents/damage .....	C 111 L 83
SHB 848	Vietnam vets/tuition limit .....	C 307 L 83
SHB 855	Emergency medical services .....	C 112 L 83
SHB 865	Contractual expenditures/cities .....	C 308 L 83
HB 867	Public arts program .....	C 204 L 83

## Bill Number to Session Law Table

Bill No.	Title	Chapter No.
<b>HOUSE BILLS--cont.</b>		
SHB 882	Interest rates/express agreement	C 309 L 83
SHB 888	Criminal sentencing	C 162 L 83
HB 905	Group training homes/eligibility	C 310 L 83
SHB 906	Developmentally disabled juveniles/out-of-home	C 311 L 83
HB 919	Self-insurer/industrial ins payments	C 312 L 83
HB 925	Uniform Conflict of Laws	C 152 L 83
SHB 1011	Energy/state owned buildings	C 313 L 83
SHB 1035	Collective barg/state patrol	Full Veto
SHB 1038	Congressional redistricting	C 17 L 83
HB 1075	Revenue & taxation	C 9 L 83
HB 1079	Budget	C 76 L 83 PVE1
HB 1082	Fiscal matters	C 36 L 83 E1
SHB 1089	China Exhibition Council	C 314 L 83
SHB 1093	Flood control improvements	C 315 L 83
HB 1094	Local government	C 48 L 83 E1
<b>SENATE BILLS</b>		
SSB 3006	SEPA revisions	C 117 L 83
SSB 3007	Rape and spouses	C 118 L 83
SB 3009	Deadly weapons and rape	C 73 L 83
SB 3018	Subdivision of land	C 121 L 83
SSB 3022	Crime victim compensation	C 239 L 83
SSB 3026	Hazardous waste WSP	C 205 L 83
SSB 3034	Consumer warranties	C 240 L 83
SSB 3035	Public works plan	C 231 L 83
SB 3036	Double amendment corrections	C 2 L 83
SB 3037	Obsolete statutory reference	C 3 L 83
SB 3038	WUTC corrections	C 4 L 83
SB 3039	Code correction	C 5 L 83
SSB 3042	Higher ed labor relations	Full Veto
SSB 3043	Furlough notice	C 122 L 83
SSB 3052	Elevators, moving walks	C 123 L 83
SSB 3053	Contractor registration fees	C 74 L 83
SSB 3054	Plumber certification	C 124 L 83
SSB 3055	Electrical construction	C 206 L 83
SSB 3056	Contractor registration	C 2 L 83 E1
SSB 3066	Harbor lease moneys	C 153 L 83
SSB 3067	Fuel tax	C 35 L 83 E1
SSB 3068	Food donations to needy	C 241 L 83
SB 3076	Garbage trucks weight	C 68 L 83
SSB 3079	Sewer officials insurance	C 37 L 83 E1
SSB 3081	Barber regulation	C 75 L 83
SB 3084	Boundary review boards	C 76 L 83
2SSB 3085	Unemployment comp. payments	C 13 L 83 PVE1
SSB 3087	Unemployment insurance	C 207 L 83
SSB 3088	Cosmetology regulation	C 208 L 83
SB 3089	Private school purchases	C 125 L 83
SB 3090	Budget and Accounting Act	C 47 L 83 PVE1
SSB 3094	Street latecomer fees	C 126 L 83
SB 3096	School dist payment schedule	C 14 L 83

## Bill Number to Session Law Table

Bill No.	Title	Chapter No.
<b>SENATE BILLS--cont.</b>		
SB 3097	Motor vehicle fees	C 77 L 83
2SSB 3100	Supplemental budget	C 12 L 83 PV
SSB 3101	Liquor Control Board	C 160 L 83
SB 3106	Vehicular homicide/assault	C 164 L 83 PV
SSB 3108	Ferry worker labor law	C 15 L 83
SSB 3110	Credit union guaranty share	C 48 L 83
SSB 3112	Wash. State Redistricting Act	C 16 L 83
SB 3120	Port commissioner vacancies	C 11 L 83
SB 3123	Reducing hearing transcript number	C 209 L 83
SSB 3124	Wash health care facilities	C 210 L 83
SSB 3127	Industrial insurance awards	C 211 L 83
SB 3130	Attorney fees	C 127 L 83
SB 3134	Special fuels license fees	C 212 L 83
SB 3140	City councils	C 128 L 83
SB 3142	Public treasurers	C 213 L 83
SB 3144	Special fuel trip permits	C 78 L 83
SB 3145	Special fuel taxes	C 242 L 83
SSB 3151	Special county attorneys	C 129 L 83
2SSB 3155	High tech education training	C 72 L 83 E1
SSB 3156	Puget Sound water qual auth	C 243 L 83
SSB 3161	County road service districts	C 130 L 83
SB 3162	Nonprofit organization taxation	C 25 L 83 E1
SSB 3163	Japanese-American reparation	C 15 L 83 E1
SSB 3164	Domestic insurers	C 46 L 83
SB 3165	SR 21 Kahlotus to Lind	C 79 L 83
SSB 3166	Notary fees	C 214 L 83
SB 3167	State Route 530	C 131 L 83
SB 3172	Elude police revoke license	C 80 L 83
SSB 3174	WSP retirement system	C 81 L 83
SB 3182	Financial institutions	C 157 L 83 PV
SB 3184	Double amendment	C 244 L 83
SB 3185	Limited jurisdiction	C 156 L 83
SB 3188	Timeshare offerings	C 22 L 83 E1
SSB 3197	Mastectomy	C 113 L 83
SB 3198	WSDOT appropriation	C 18 L 83
SB 3203	Child restraints	C 215 L 83
SSB 3206	Open public meetings	C 155 L 83
SB 3211	Aircraft fuel taxes	C 49 L 83
SSB 3217	Outlaw certain salmon fish	C 245 L 83
SB 3221	Veterans Affairs Advisory Committee	C 34 L 83
SB 3224	Heating services	C 216 L 83
2SSB 3230	Minority and women business	C 120 L 83
SSB 3239	Cold storage warehouse	C 132 L 83
SSB 3244	Excise taxes	C 66 L 83 E1
2SSB 3245	Housing finance commission	C 161 L 83
SSB 3248	Comparable worth salaries	C 75 L 83 E1
SB 3250	Ferry contractor prequal	C 133 L 83
SSB 3251	Portable oil fueled heater	C 134 L 83
SB 3252	Aircraft dealer registration	C 135 L 83
SSB 3253	Abused children custody	C 246 L 83
SB 3255	Pedestrians, toll facilities	C 247 L 83



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Bill No.	Title	Chapter No.
<b>SENATE BILLS--cont.</b>		
SB 3258	Modifying '81-'83 taxes	C 7 L 83 PV
SSB 3266	WPPSS executive board	C 3 L 83 E1
2SSB 3272	Coroners' system	C 16 L 83 E1
SSB 3273	Radioactive waste commission	C 19 L 83 E1
SB 3282	Multistate highway transportation	C 82 L 83
SSB 3290	Aquatic land lease	C 2 L 83 E2
SB 3297	Department of Agriculture	C 248 L 83
SSB 3299	Personal leases	C 158 L 83
SSB 3308	Home health care coverage	C 249 L 83
SSB 3311	Unemployment insurance modify	C 23 L 83 E1
SB 3314	OASI revolving fund	C 6 L 83 E1
SB 3363	Port district treas	C 250 L 83
SB 3364	RIF school employ, hearing	C 83 L 83
SSB 3372	Wildlife value civil penalty	C 8 L 83 E1
SSB 3380	Students resid sch to commun	C 50 L 83
SB 3383	Professional corporations	C 51 L 83
SB 3390	Personalized licenses	C 24 L 83 E1
SB 3392	Electric util install charge	C 217 L 83
SB 3393	National guard-judges	C 218 L 83
SB 3413	Park surcharge	C 38 L 83 E1
SB 3416	Revising sentencing laws	C 163 L 83
SB 3426	Homestead	C 251 L 83
SSB 3433	Higher ed facilities authority	C 169 L 83 PV
SB 3442	Agreed dissolutions	C 219 L 83
SB 3448	Intercollegiate nursing center fee	C 220 L 83
SSB 3453	Traffic offenses on campus	C 221 L 83
SSB 3480	Entertainers, industrial insurance	C 252 L 83
SSB 3483	Oil and gas exploration	C 253 L 83
SSB 3490	Home rule, health officer	C 39 L 83 E1
SB 3492	Higher ed tuition reciproc	C 166 L 83
SSB 3494	Small Claims Court	C 254 L 83
SSB 3497	Propane fuel placard	C 237 L 83
SB 3501	Interpreter legal proceeding	C 222 L 83
SSB 3511	Hydroelectric facilities	C 47 L 83
SSB 3516	Legislative joint commission abolish	C 52 L 83
SB 3519	Mount St. Helens	C 1 L 83 E1
SSB 3520	Elections/votes, contest of	C 30 L 83 E1
SSB 3522	County assessors' review tax levies	C 223 L 83
SB 3523	Prisoner furloughs	C 255 L 83
SB 3531	Coll & univ fees refund	C 256 L 83
SB 3532	Comm. coll. trustees, remove	C 224 L 83
SB 3535	Milk/soy based bev. contain	C 257 L 83
SB 3537	Firefighters, guard animals	C 258 L 83
SSB 3538	Traffic safety commission/sunset removed	C 14 L 83 PVE1
SB 3585	Harbor leases	C 259 L 83
SB 3588	State archivists	C 84 L 83
SSB 3595	Veteran services	C 260 L 83
SB 3613	Gender-neutral language	C 20 L 83
SSB 3614	Public land exchange	C 261 L 83
2SSB 3624	Conservation corps	C 40 L 83 E1
SSB 3628	Hood Canal shrimp	C 31 L 83 E1

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<b>SENATE BILLS--cont.</b>		
SSB 3630	Irrigation district boards	C 262 L 83
SSB 3637	Declaratory judgments of bond issues	C 263 L 83
SSB 3640	Landlord-tenant	C 264 L 83
SSB 3642	Charitable solicitations	C 265 L 83
SB 3644	Continuing ed services registration	C 266 L 83
SSB 3645	Mental health	C 35 L 83
SSB 3646	Juvenile offenders	C 267 L 83
SB 3655	Podiatry	C 154 L 83
SSB 3657	State-owned armories	C 268 L 83
SSB 3660	DSHS powers	C 41 L 83 E1
SSB 3664	Water quality	C 269 L 83
SB 3674	Pollution control	C 270 L 83
SSB 3742	Precinct committeemen	C 136 L 83
SSB 3757	Nursing homes	C 236 L 83
SB 3760	Local economic development	C 51 L 83 E1
SB 3763	Guardians income reporting	C 271 L 83
SSB 3780	Nursing homes	C 67 L 83 E1
SSB 3782	Firearms	C 232 L 83
SB 3784	Federal unemployment trust fund	C 7 L 83 E1
SSB 3811	Housing authorities	C 225 L 83
SSB 3812	Surveys, plats, fees	C 272 L 83
SSB 3817	Body searches	C 42 L 83 E1
SB 3840	State deferred comp	C 226 L 83
SB 3843	Board of Geographic Names	C 273 L 83
SB 3846	Vehicle redemption	C 274 L 83
SSB 3856	Criminal law	C 4 L 83 E1
SB 3857	Used car air pollution	C 238 L 83 PV
SB 3858	Annexation of cities/towns	C 68 L 83 E1
SSB 3864	Commodity commissions	C 73 L 83 E1
SSB 3880	Education	C 275 L 83
SB 3909	Revenue and taxation	C 3 L 83 PVE2
SB 3991	Hood Canal toll end	Full Veto
SB 3993	Joint Admin Rules Review Committee	C 53 L 83
SSB 4007	Public funds	C 69 L 83 E1
SB 4021	Insur co annual statements	C 85 L 83
SSB 4022	Health care juris	C 36 L 83
SSB 4034	Motor vehicle special fuel	C 114 L 83 PV
SSB 4059	Central stores revolving fund	Full Veto
SSB 4066	Consumer finance companies	C 227 L 83
SB 4082	Good behavior	C 276 L 83
SB 4088	Archaeological research	C 159 L 83
SSB 4092	Property & casualty insurers	Full Veto
SSB 4101	Parimutuel machine	C 228 L 83
2SSB 4102	Math/science teacher incentive	C 74 L 83 E1
SB 4103	Teacher contact hours	C 229 L 83
SSB 4107	Model litter control	C 277 L 83
SB 4112	Vehicle size and load	C 278 L 83
SSB 4135	Institutional impact account	C 279 L 83
SSB 4137	Adult corrections	C 52 L 83 E1
SB 4153	Veterans' plates	C 230 L 83
SB 4156	Wheelchair fishing licenses	C 280 L 83

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## Bill Number to Session Law Table

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Bill No.	Title	Chapter No.
<b>SENATE BILLS--cont.</b>		
SSB 4201	Automotive oil recycle .....	C 137 L 83
SB 4204	Board of health extended .....	C 235 L 83 PV
SB 4205	Productivity board .....	C 54 L 83
SSB 4226	Tree fruit sanitation .....	C 281 L 83
SSB 4245	Hazardous waste .....	C 70 L 83 E1

### KEY TO SYMBOLS

E1 - First Extraordinary Session  
E2 - Second Extraordinary Session  
PV - Partial Veto

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C 1 L 83	Unemp benefits extended	HB 1
C 2 L 83	Double amendment corrections	SB 3036
C 3 L 83	Obsolete statutory reference	SB 3037
C 4 L 83	WUTC corrections	SB 3038
C 5 L 83	Code correction	SB 3039
C 6 L 83	Redistrict commission/temporary	SHB 20
C 7 L 83 PV	Modifying '81-'83 taxes	SB 3258
C 8 L 83	Timber tax reserve/transfers	HB 61
C 9 L 83	Revenue & taxation	HB 1075
C 10 L 83	Homicide/definition	HB 147
C 11 L 83	Port commissioner vacancies	SB 3120
C 12 L 83 PV	Supplemental budget	2SSB 3100
C 13 L 83	Liquor service/international expos	HB 441
C 14 L 83	School dist payment schedule	SB 3096
C 15 L 83	Ferry worker labor law	SSB 3108
C 16 L 83	Wash. State Redistricting Act	SSB 3112
C 17 L 83	Congressional redistricting	SHB 1038
C 18 L 83	WSDOT appropriation	SB 3198
C 19 L 83	Railroad crossing signs	SHB 207
C 20 L 83	Gender-neutral language	SB 3613
C 21 L 83	Self-insured employer/discipline	SHB 24
C 22 L 83	Municipal research council	SHB 47
C 23 L 83	Higher ed personnel board meetings	HB 83
C 24 L 83	Port dist property/acquisition	HB 77
C 25 L 83	Insanity/defendant acquitted	SHB 99
C 26 L 83	Vehicle license fees	SHB 143
C 27 L 83	License plates	HB 144
C 28 L 83	Money judgments/court clerk	HB 174
C 29 L 83	DOT to make contracts	HB 184
C 30 L 83	Model traffic ordinance	HB 216
C 31 L 83	Corporation residence/define	HB 288
C 32 L 83	Corporation laws	HB 348
C 33 L 83	Chattel liens	HB 487
C 34 L 83	Veterans Affairs Advisory Committee	SB 3221
C 35 L 83	Mental health	SSB 3645
C 36 L 83	Health care juris	SSB 4022
C 37 L 83	Credit union regulations	HB 32
C 38 L 83	Water, sewer dist/contracts	HB 78
C 39 L 83	Hearing aids/regulating	HB 198
C 40 L 83	Merchandise coupons	HB 219
C 41 L 83	Penalty tax/land, 84.34 RCW	HB 256
C 42 L 83	Savings & loan assns/names	HB 274
C 43 L 83	Motor vehicle funds/cities	HB 285
C 44 L 83	Mutual savings banks/provisions	HB 275
C 45 L 83	Mutual savings banks/conversion	HB 312
C 46 L 83	Domestic insurers	SSB 3164
C 47 L 83	Hydroelectric facilities	SSB 3511
C 48 L 83	Credit union guaranty share	SSB 3110
C 49 L 83	Aircraft fuel taxes	SB 3211

## Session Law to Bill Number Table

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<b>REGULAR SESSION--cont.</b>		
C 50 L 83	Students resid sch to commun . . . . .	SSB 3380
C 51 L 83	Professional corporations . . . . .	SB 3383
C 52 L 83	Legislative joint commission abolish . . . . .	SSB 3516
C 53 L 83	Joint Admin Rules Review Committee . . . . .	SB 3993
C 54 L 83	Productivity board . . . . .	SB 4205
C 55 L 83	Licensed practical nurses . . . . .	HB 63
C 56 L 83	Educational service districts . . . . .	HB 106
C 57 L 83	Water & sewer dist treasurer . . . . .	HB 111
C 58 L 83	Unfair labor prac/filing . . . . .	HB 136
C 59 L 83	School districts' budgets & funds . . . . .	SHB 148
C 60 L 83	Handicapped services . . . . .	SHB 187
C 61 L 83	Bond sales/metro parks dist . . . . .	SHB 189
C 62 L 83	Public entities/energy . . . . .	SHB 366
C 63 L 83	Health care service contracts . . . . .	HB 371
C 64 L 83	Port dist property leases . . . . .	HB 413
C 65 L 83	Public transportation benefit areas . . . . .	HB 534
C 66 L 83	Public depositories . . . . .	SHB 547
C 67 L 83	Military reserve pay/unempl comp . . . . .	HB 787
C 68 L 83	Garbage trucks weight . . . . .	SB 3076
C 69 L 83	School dist employees' service periods . . . . .	SHB 16
C 70 L 83	Voc rehab/injured workers . . . . .	HB 102
C 71 L 83	Medical disciplinary account . . . . .	HB 387
C 72 L 83	MV license plates/standards . . . . .	SHB 482
C 73 L 83	Deadly weapons and rape . . . . .	SB 3009
C 74 L 83	Contractor registration fees . . . . .	SSB 3053
C 75 L 83	Barber regulation . . . . .	SSB 3081
C 76 L 83	Boundary review boards . . . . .	SB 3084
C 77 L 83	Motor vehicle fees . . . . .	SB 3097
C 78 L 83	Special fuel trip permits . . . . .	SB 3144
C 79 L 83	SR 21 Kahlotus to Lind . . . . .	SB 3165
C 80 L 83	Elude police revoke license . . . . .	SB 3172
C 81 L 83	WSP retirement system . . . . .	SSB 3174
C 82 L 83	Multistate highway transportation . . . . .	SB 3282
C 83 L 83	RIF school employ, hearing . . . . .	SB 3364
C 84 L 83	State archivists . . . . .	SB 3588
C 85 L 83	Insur co annual statements . . . . .	SB 4021
C 86 L 83	Vocational rehabilitation . . . . .	HB 25
C 87 L 83	Fire protection services . . . . .	HB 35
C 88 L 83	Sewer districts/formation . . . . .	HB 36
C 89 L 83	Bread loaves/size, weight . . . . .	SHB 37
C 90 L 83	Apprenticeship/agrmts, fees . . . . .	HB 59
C 91 L 83	WA state heritage council . . . . .	SHB 81
C 92 L 83	Metro municipal corp council . . . . .	HB 87
C 93 L 83	Water well contractors . . . . .	HB 112
C 94 L 83	Heating services/districts . . . . .	SHB 114
C 95 L 83	Agricultural fees . . . . .	SHB 118
C 96 L 83	Funds transfer/political cand . . . . .	HB 153
C 97 L 83	Worker comp/definition worker . . . . .	HB 175
C 98 L 83	Juvenile offenders/education . . . . .	SHB 241
C 99 L 83	Local tax/altering rates . . . . .	SHB 263
C 100 L 83	Professional service corp . . . . .	HB 305

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<b>REGULAR SESSION--cont.</b>		
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C 102 L 83	Veterinary board provisions	HB 357
C 103 L 83	Streets/abutters improving	SHB 393
C 104 L 83	Tuition waivers/nonresident	SHB 409
C 105 L 83	Ed policies/temp committee	HB 430
C 106 L 83	Health maint organizations	SHB 488
C 107 L 83	Deadbeat list/collect agency	SHB 533
C 108 L 83	Transit for elderly/fuel tax	SHB 539
C 109 L 83	School closure/procedures	SHB 719
C 110 L 83	Deaths reporting/age change	HB 741
C 111 L 83	Industrial accidents/damage	HB 817
C 112 L 83	Emergency medical services	SHB 855
C 113 L 83	Mastectomy	SSB 3197
C 114 L 83 PV	Motor vehicle special fuel	SSB 4034
C 115 L 83	Sentencing guidelines	SHB 297
C 116 L 83	Physical therapist/licensing	SHB 309
C 117 L 83	SEPA revisions	SSB 3006
C 118 L 83	Rape and spouses	SSB 3007
C 119 L 83	Asian-American Affairs Commission	HB 146
C 120 L 83	Minority and women business	2SSB 3230
C 121 L 83	Subdivision of land	SB 3018
C 122 L 83	Furlough notice	SSB 3043
C 123 L 83	Elevators, moving walks	SSB 3052
C 124 L 83	Plumber certification	SSB 3054
C 125 L 83	Private school purchases	SB 3089
C 126 L 83	Street latecomer fees	SSB 3094
C 127 L 83	Attorney fees	SB 3130
C 128 L 83	City councils	SB 3140
C 129 L 83	Special county attorneys	SSB 3151
C 130 L 83	County road service districts	SSB 3161
C 131 L 83	State Route 530	SB 3167
C 132 L 83	Cold storage warehouse	SSB 3239
C 133 L 83	Ferry contractor prequal	SB 3250
C 134 L 83	Portable oil fueled heater	SSB 3251
C 135 L 83	Aircraft dealer registration	SB 3252
C 136 L 83	Precinct committeemen	SSB 3742
C 137 L 83	Automotive oil recycle	SSB 4201
C 138 L 83	Oil permit/marine waters	SHB 95
C 139 L 83	Snowmobile adv comm/termin	HB 180
C 140 L 83	Eminent domain laws	HB 183
C 141 L 83	Purch amt/max w/o competition	HB 208
C 142 L 83	Hulk haulers, vehicle repairman	HB 259
C 143 L 83	Vote devices/single precinct	SHB 266
C 144 L 83	WSP special deputies/state employees	HB 304
C 145 L 83	Developmentally disabled	HB 270
C 146 L 83	Fire protect/plan & comm aff	HB 313
C 147 L 83	Judgments/equal interest	SHB 328
C 148 L 83	Drug abuse adm brds/county	HB 373
C 149 L 83	Health care provider/negligence	SHB 383
C 150 L 83	Driving while intoxicated	SHB 498
C 151 L 83	Public transportation areas/treasurer	SHB 540

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C 152 L 83	Uniform Conflict of Laws	HB 925
C 153 L 83	Harbor lease moneys	SSB 3066
C 154 L 83	Podiatry	SB 3655
C 155 L 83	Open public meetings	SSB 3206
C 156 L 83	Limited jurisdiction	SB 3185
C 157 L 83 PV	Financial institutions	SB 3182
C 158 L 83	Personal leases	SSB 3299
C 159 L 83	Archaeological research	SB 4088
C 160 L 83	Liquor Control Board	SSB 3101
C 161 L 83	Housing finance commission	2SSB 3245
C 162 L 83	Criminal sentencing	SHB 888
C 163 L 83	Revising sentencing laws	SB 3416
C 164 L 83 PV	Vehicular homicide/assault	SB 3106
C 165 L 83	DWI/license revocation	SHB 289
C 166 L 83	Higher ed tuition recipro	SB 3492
C 167 L 83 PV	Bonds/registration	SHB 390
C 168 L 83 PV	Health professions guideline	SHB 359
C 169 L 83 PV	Higher ed facilities authority	SSB 3433
C 170 L 83	Industrial insurance/common carrier	HB 23
C 171 L 83	Solid waste facility/county	SHB 44
C 172 L 83	Hazardous waste penalties	SHB 64
C 173 L 83	Reserve funds/cities, towns	HB 76
C 174 L 83	Self-ins/hospitals, school dists	HB 107
C 175 L 83	Corrections/civil service exempt	HB 125
C 176 L 83	Campaign contributions over \$500	HB 150
C 177 L 83	British expo 86/participate	HB 164
C 178 L 83	Water heaters maximum setting	SHB 177
C 179 L 83	Uniform Unclaimed Property Act	SHB 179
C 180 L 83	Highway routes/revising	HB 185
C 181 L 83	Jurors/excused	SHB 197
C 182 L 83	Motor vehicle/underinsured	HB 203
C 183 L 83	Bids/in-state preference	SHB 232
C 184 L 83	Criminal records/fees	HB 260
C 185 L 83	Taxes/exempt property	HB 269
C 186 L 83	Marriage solemnization	HB 284
C 187 L 83	School directors' assn	HB 300
C 188 L 83	Moorage facilities procedure	HB 318
C 189 L 83	Funds & accts/obsolete abol	SHB 325
C 190 L 83	Cemeteries/filing reports	HB 419
C 191 L 83	Juvenile offender/sentencing	SHB 431
C 192 L 83	Children and family services	SHB 433
C 193 L 83	Wood collection fees/over 65	HB 436
C 194 L 83	Blind persons provisions	SHB 452
C 195 L 83	Judges full-time/definition	SHB 463
C 196 L 83	Parole revocation & records	SHB 476
C 197 L 83	Termination/various agencies	SHB 493
C 198 L 83	Low income utility users	HB 520
C 199 L 83	Deportation/guilty plea	SHB 522
C 200 L 83	Wheelchair conveyances	SHB 546
C 201 L 83	Insurance claim/deceased persons	HB 643
C 202 L 83	Health service contractors	SHB 667

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C 203 L 83	Workers' comp/injured workers .....	HB 765
C 204 L 83	Public arts program .....	HB 867
C 205 L 83	Hazardous waste WSP .....	SSB 3026
C 206 L 83	Electrical construction .....	SSB 3055
C 207 L 83	Unemployment insurance .....	SSB 3087
C 208 L 83	Cosmetology regulation .....	SSB 3088
C 209 L 83	Reducing hearing transcript number .....	SB 3123
C 210 L 83	Wash health care facilities .....	SSB 3124
C 211 L 83	Industrial insurance awards .....	SSB 3127
C 212 L 83	Special fuels license fees .....	SB 3134
C 213 L 83	Public treasurers .....	SB 3142
C 214 L 83	Notary fees .....	SSB 3166
C 215 L 83	Child restraints .....	SB 3203
C 216 L 83	Heating services .....	SB 3224
C 217 L 83	Electric util install charge .....	SB 3392
C 218 L 83	National guard-judges .....	SB 3393
C 219 L 83	Agreed dissolutions .....	SB 3442
C 220 L 83	Intercollegiate nursing center fee .....	SB 3448
C 221 L 83	Traffic offenses on campus .....	SSB 3453
C 222 L 83	Interpreter legal proceeding .....	SB 3501
C 223 L 83	County assessors' review tax levies .....	SSB 3522
C 224 L 83	Comm. coll. trustees, remove .....	SB 3532
C 225 L 83	Housing authorities .....	SSB 3811
C 226 L 83	State deferred comp .....	SB 3840
C 227 L 83	Consumer finance companies .....	SSB 4066
C 228 L 83	Parimutuel machine .....	SSB 4101
C 229 L 83	Teacher contact hours .....	SB 4103
C 230 L 83	Veterans' plates .....	SB 4153
C 231 L 83	Public works plan .....	SSB 3035
C 232 L 83	Firearms .....	SSB 3782
C 233 L 83 PV	Retirement contributions/withdrawn .....	SHB 126
C 234 L 83 PV	Public Accountancy Act of 1983 .....	SHB 646
C 235 L 83 PV	Board of health extended .....	SB 4204
C 236 L 83	Nursing homes .....	SSB 3757
C 237 L 83	Propane fuel placard .....	SSB 3497
C 238 L 83 PV	Used car air pollution .....	SB 3857
C 239 L 83	Crime victim compensation .....	SSB 3022
C 240 L 83	Consumer warranties .....	SSB 3034
C 241 L 83	Food donations to needy .....	SSB 3068
C 242 L 83	Special fuel taxes .....	SB 3145
C 243 L 83	Puget Sound water qual auth .....	SSB 3156
C 244 L 83	Double amendment .....	SB 3184
C 245 L 83	Outlaw certain salmon fish .....	SSB 3217
C 246 L 83	Abused children custody .....	SSB 3253
C 247 L 83	Pedestrians, toll facilities .....	SB 3255
C 248 L 83	Department of Agriculture .....	SB 3297
C 249 L 83	Home health care coverage .....	SSB 3308
C 250 L 83	Port district treas .....	SB 3363
C 251 L 83	Homestead .....	SB 3426
C 252 L 83	Entertainers, industrial insurance .....	SSB 3480
C 253 L 83	Oil and gas exploration .....	SSB 3483



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C 255 L 83	Prisoner furloughs . . . . .	SB 3523
C 256 L 83	Coll & univ fees refund . . . . .	SB 3531
C 257 L 83	Milk/soy based bev. contain . . . . .	SB 3535
C 258 L 83	Firefighters, guard animals . . . . .	SB 3537
C 259 L 83	Harbor leases . . . . .	SB 3585
C 260 L 83	Veteran services . . . . .	SSB 3595
C 261 L 83	Public land exchange . . . . .	SSB 3614
C 262 L 83	Irrigation district boards . . . . .	SSB 3630
C 263 L 83	Declaratory judgments of bond issues . . . . .	SSB 3637
C 264 L 83	Landlord-tenant . . . . .	SSB 3640
C 265 L 83	Charitable solicitations . . . . .	SSB 3642
C 266 L 83	Continuing ed services registration . . . . .	SB 3644
C 267 L 83	Juvenile offenders . . . . .	SSB 3646
C 268 L 83	State-owned armories . . . . .	SSB 3657
C 269 L 83	Water quality . . . . .	SSB 3664
C 270 L 83	Pollution control . . . . .	SB 3674
C 271 L 83	Guardians income reporting . . . . .	SB 3763
C 272 L 83	Surveys, plats, fees . . . . .	SSB 3812
C 273 L 83	Board of Geographic Names . . . . .	SB 3843
C 274 L 83	Vehicle redemption . . . . .	SB 3846
C 275 L 83	Education . . . . .	SSB 3880
C 276 L 83	Good behavior . . . . .	SB 4082
C 277 L 83	Model litter control . . . . .	SSB 4107
C 278 L 83	Vehicle size and load . . . . .	SB 4112
C 279 L 83	Institutional impact account . . . . .	SSB 4135
C 280 L 83	Wheelchair fishing licenses . . . . .	SB 4156
C 281 L 83	Tree fruit sanitation . . . . .	SSB 4226
C 282 L 83	Civil actions/settlement . . . . .	SHB 116
C 283 L 83	Vacation leave/state employees . . . . .	SHB 129
C 284 L 83	Anadromous game fish . . . . .	SHB 233
C 285 L 83	Resident student 5/31/82 . . . . .	SHB 334
C 286 L 83	Chiropractic service/coverage . . . . .	SHB 336
C 287 L 83	Collective bargaining . . . . .	SHB 434
C 288 L 83	Antitrust/Consumer Protection Improvement Act . . . . .	SHB 458
C 289 L 83	Safe deposit companies . . . . .	HB 479
C 290 L 83	Long-term care/ombudsman . . . . .	SHB 484
C 291 L 83	Aquatic programs/local powers . . . . .	HB 511
C 292 L 83	Water supply operations . . . . .	SHB 548
C 293 L 83	Discrimination provisions revised . . . . .	HB 555
C 294 L 83	Public disclosure reports . . . . .	HB 569
C 295 L 83	Veterans relief fund . . . . .	SHB 576
C 296 L 83	Prison work programs . . . . .	SHB 579
C 297 L 83	Salmon delivery permits . . . . .	HB 585
C 298 L 83	Livestock markets . . . . .	HB 653
C 299 L 83	Forest protection provisions . . . . .	SHB 661
C 300 L 83	Columbia River/sturgeon . . . . .	HB 674
C 301 L 83	Workers comp awards/interest . . . . .	HB 683
C 302 L 83	Uniform limited partnership . . . . .	HB 747
C 303 L 83	Local improvements . . . . .	HB 753
C 304 L 83	Higher ed course designation . . . . .	SHB 790

## Session Law to Bill Number Table

Chapter No.	Title	Bill No.
<b>REGULAR SESSION--cont.</b>		
C 305 L 83	Agricultural commodities . . . . .	SHB 793
C 306 L 83	Agencies/program goals & objectives . . . . .	HB 804
C 307 L 83	Vietnam vets/tuition limit . . . . .	SHB 848
C 308 L 83	Contractual expenditures/cities . . . . .	SHB 865
C 309 L 83	Interest rates/express agreement . . . . .	SHB 882
C 310 L 83	Group training homes/eligibility . . . . .	HB 905
C 311 L 83	Developmentally disabled juveniles/out-of-home . . . . .	SHB 906
C 312 L 83	Self-insurer/industrial ins payments . . . . .	HB 919
C 313 L 83	Energy/state owned buildings . . . . .	SHB 1011
C 314 L 83	China Exhibition Council . . . . .	SHB 1089
C 315 L 83	Flood control improvements . . . . .	SHB 1093

### FIRST SPECIAL SESSION

C 1 L 83 E1	Mount St. Helens . . . . .	SB 3519
C 2 L 83 E1	Contractor registration . . . . .	SSB 3056
C 3 L 83 E1	WPPSS executive board . . . . .	SSB 3266
C 4 L 83 E1	Criminal law . . . . .	SSB 3856
C 5 L 83 E1 PV	Cemetery board/certification of authority . . . . .	HB 420
C 6 L 83 E1	OASI revolving fund . . . . .	SB 3314
C 7 L 83 E1	Federal unemployment trust fund . . . . .	SB 3784
C 8 L 83 E1	Wildlife value civil penalty . . . . .	SSB 3372
C 9 L 83 E1	Judiciary education account . . . . .	HB 471
C 10 L 83 E1	Session laws/publication . . . . .	HB 725
C 11 L 83 E1	Senior citizens tax relief . . . . .	SHB 496
C 12 L 83 E1	Timber sales/state land . . . . .	HB 399
C 13 L 83 E1 PV	Unemployment comp. payments . . . . .	2SSB 3085
C 14 L 83 E1 PV	Traffic safety commission/sunset removed . . . . .	SSB 3538
C 15 L 83 E1	Japanese-American reparation . . . . .	SSB 3163
C 16 L 83 E1	Coroners' system . . . . .	2SSB 3272
C 17 L 83 E1	State funds/provisions . . . . .	SHB 470
C 18 L 83 E1	Reservoir project/East Selah . . . . .	HB 595
C 19 L 83 E1	Radioactive waste commission . . . . .	SSB 3273
C 20 L 83 E1	Export assistance centers . . . . .	2SHB 226
C 21 L 83 E1	Job skill program . . . . .	2SHB 231
C 22 L 83 E1	Timeshare offerings . . . . .	SB 3188
C 23 L 83 E1	Unemployment insurance modify . . . . .	SSB 3311
C 24 L 83 E1	Personalized licenses . . . . .	SB 3390
C 25 L 83 E1	Nonprofit organization taxation . . . . .	SB 3162
C 26 L 83 E1	Cost control task force . . . . .	SHB 740
C 27 L 83 E1 PV	Sunset review procedures . . . . .	SHB 39
C 28 L 83 E1 PV	State employees/paid twice monthly . . . . .	2SHB 295
C 29 L 83 E1	Travel/state reimbursement . . . . .	SHB 127
C 30 L 83 E1	Elections/votes, contest of . . . . .	SSB 3520
C 31 L 83 E1	Hood Canal shrimp . . . . .	SSB 3628
C 32 L 83 E1 PV	Insurance provisions . . . . .	SHB 139
C 33 L 83 E1	Exit polling . . . . .	HB 239
C 34 L 83 E1	Agricultural education/vocational program . . . . .	HB 570
C 35 L 83 E1	Fuel tax . . . . .	SSB 3067
C 36 L 83 E1	Fiscal matters . . . . .	HB 1082
C 37 L 83 E1	Sewer officials insurance . . . . .	SSB 3079

## Session Law to Bill Number Table

Chapter No.	Title	Bill No.
<b>FIRST SPECIAL SESSION--cont.</b>		
C 38 L 83 E1	Park surcharge	SB 3413
C 39 L 83 E1	Home rule, health officer	SSB 3490
C 40 L 83 E1	Conservation corps	2SSB 3624
C 41 L 83 E1	DSHS powers	SSB 3660
C 42 L 83 E1	Body searches	SSB 3817
C 43 L 83 E1	Limited casualty programs/\$500	SHB 43
C 44 L 83 E1	Contracts, local government/limits	HB 74
C 45 L 83 E1	Court procedures modify	HB 428
C 46 L 83 E1	Fisheries code/reorganizing	SHB 278
C 47 L 83 E1 PV	Budget and Accounting Act	SB 3090
C 48 L 83 E1	Local government	HB 1094
C 49 L 83 E1	Gas tax provisions 1983-85	SHB 235
C 50 L 83 E1	State employment and conservation corps	SHB 251
C 51 L 83 E1	Local economic development	SB 3760
C 52 L 83 E1	Adult corrections	SSB 4137
C 53 L 83 E1 PV	Transportation budget	SHB 234
C 54 L 83 E1	State buildings and facilities/bonds	SHB 57
C 55 L 83 E1	Tax provisions/misc	SHB 72
C 56 L 83 E1	Post retirement adjustments	SHB 51
C 57 L 83 E1	Capital budget	SHB 55
C 58 L 83 E1	Higher ed/capital improvements bonds	HB 56
C 59 L 83 E1	Fisheries facilities/bonds	HB 58
C 60 L 83 E1	Economic development	2SHB 245
C 61 L 83 E1	School transportation	SHB 296
C 62 L 83 E1	Business inventories/taxes	HB 466
C 63 L 83 E1	Jail improvement and construction funds	HB 588
C 64 L 83 E1	Institutional loan funds/transfers	2SHB 693
C 65 L 83 E1	Hazardous waste program/funding	SHB 712
C 66 L 83 E1	Excise taxes	SSB 3244
C 67 L 83 E1	Nursing homes	SSB 3780
C 68 L 83 E1	Annexation of cities/towns	SB 3858
C 69 L 83 E1	Public funds	SSB 4007
C 70 L 83 E1	Hazardous waste	SSB 4245
C 71 L 83 E1	Mail voting	SHB 240
C 72 L 83 E1	High tech education training	2SSB 3155
C 73 L 83 E1	Commodity commissions	SSB 3864
C 74 L 83 E1	Math/science teacher incentive	2SSB 4102
C 75 L 83 E1	Comparable worth salaries	SSB 3248
C 76 L 83 E1 PV	Budget	HB 1079
<b>SECOND SPECIAL SESSION</b>		
C 1 L 83 E2	Convention and trade center	SHB 605
C 2 L 83 E2	Aquatic land lease	SSB 3290
C 3 L 83 E2 PV	Revenue and taxation	SB 3909

### KEY TO SYMBOLS

E1 - First Extraordinary Session  
 E2 - Second Extraordinary Session  
 PV - Partial Veto



# State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

## PROCLAMATION BY THE GOVERNOR

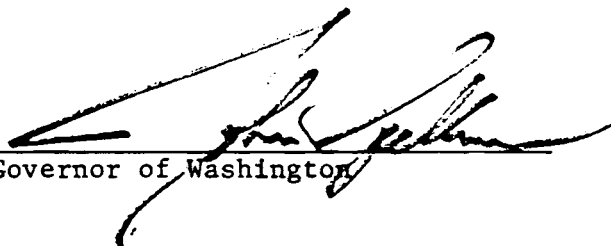
The Washington State Legislature has all but concluded the 1983 Regular Session without finishing its essential tasks. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

- The state budget and budget-related items
- Revenues to support the budget
- The Washington Public Power Supply System
- Bills in dispute
- Gubernatorial appointments


NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed thirty days in the Capitol at Olympia at 12:00 noon on April 25, 1983.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of April, A.D. nineteen hundred and eighty-three.

  
Governor of Washington

BY THE GOVERNOR:

  
Secretary of State



State of Washington

JOHN SPELLMAN, Governor

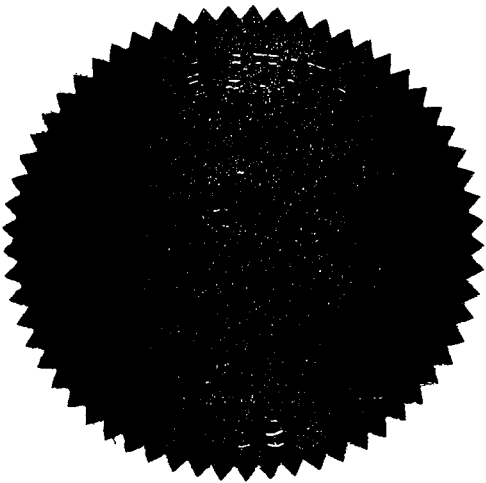
OFFICE OF THE GOVERNOR

PROCLAMATION BY THE GOVERNOR

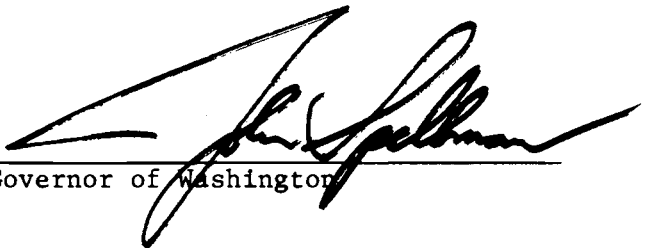
The Washington State Legislature has concluded the 1983 First Extraordinary Session without resolving the ~~budgetary~~ and revenue needs of the state. It is therefore necessary for me to convene the legislature in a second extraordinary session for the purpose of addressing only the following:


- RESB 3909
- ESHB 52
- SSB 3290
- ESHB 605

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in a second extraordinary (special) session immediately for a period up to 4:00 p.m., on May 25, 1983, subject to agreement by both houses to the said time limitation and limitations of purposes. This Proclamation shall not remain in effect unless each house adopts said time and purposes limitations before proceeding with this business.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia at 1:08 a.m., this 25th day of May, A.D., nineteen hundred and eighty-three.

  
Governor of Washington

BY THE GOVERNOR:  
  
Secretary of State



# State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

## PROCLAMATION BY THE GOVERNOR

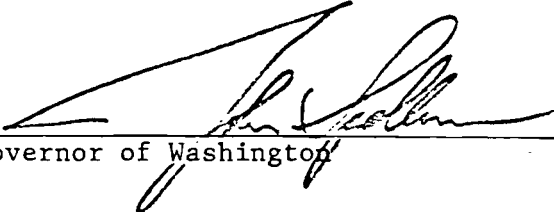
AMENDING PROCLAMATION OF 1:08 a.m., May 25, 1983

The Washington State Legislature has all but concluded the 1983 Second Extraordinary Session without resolving the revenue needs of the state. It is therefore necessary for me to extend the length of the session in order to permit the legislature to complete the agenda set forth in my Proclamation of 1:08 a.m., today.

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby amend my Proclamation of 1:08 a.m., today, to provide for a session for a period up to 7:00 p.m., today.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia at 3:57 p.m., this 25th day of May, A.D., nineteen hundred and eighty-three.

  
Governor of Washington

BY THE GOVERNOR:

  
Secretary of State



State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

PROCLAMATION BY THE GOVERNOR

SECOND AMENDMENT TO PROCLAMATION OF 1:08 a.m., May 25, 1983

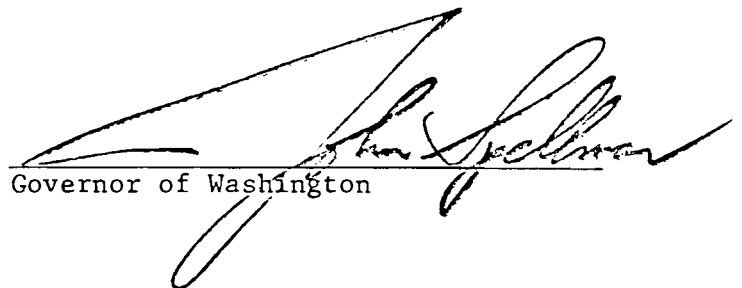
The Washington State Legislature has continued in the 1983 Second Extraordinary Session without finally resolving issues critical to the state. It is therefore necessary for me to extend the length of the session again, in order to permit the legislature to complete the agenda set forth in my Proclamation of 1:08 a.m., today.

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby again amend my Proclamation of 1:08 a.m., today, to provide for a session for a period up to 9:00 p.m., today.

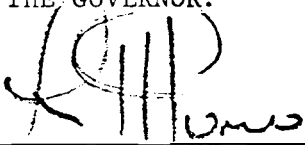
This Amendment supersedes my Amendment of 3:57 p.m., today.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia at 6:55 p.m., this 25th day of May, A.D., nineteen hundred and eighty-three.

  
Governor of Washington

BY THE GOVERNOR:

  
Secretary of State

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## Gubernatorial Appointments Confirmed

---

### EXECUTIVE AGENCIES

**DEPARTMENT OF LICENSING**  
John Gonzalez, Director

**PUBLIC PRINTER**  
Leland Blankenship

**DEPARTMENT OF REVENUE**  
Donald R. Burrows, Director

**DEPARTMENT OF VETERANS AFFAIRS**  
Randy S. Fisher, Director

### MEMBERS OF BOARDS, COUNCILS, COMMISSIONS

**APPRENTICESHIP COUNCIL**  
John H. Stender

**COMMISSION FOR THE BLIND**  
David J. DeLaittre

**CENTRAL WASHINGTON UNIVERSITY**  
Susan E. Gould

**BELLEVUE COMMUNITY COLLEGE DISTRICT No. 8**  
Patricia A. McGlashan

**CENTRALIA COMMUNITY COLLEGE DISTRICT No. 12**  
Cornelius Doelman

**CLARK COMMUNITY COLLEGE DISTRICT No. 14**  
Yvonne C. Montchalin

**EDMONDS COMMUNITY COLLEGE DISTRICT No. 23**  
Majel A. Wilson

**EVERETT COMMUNITY COLLEGE DISTRICT No. 5**  
Nancy L. Weis

**FORT STEILACOOM COMMUNITY COLLEGE DISTRICT No. 11**

Jack Watkins, Jr.

**GRAYS HARBOR COMMUNITY COLLEGE DISTRICT No. 2**  
Richard Murakami

**GREEN RIVER COMMUNITY COLLEGE DISTRICT No. 10**  
Beverly A. Schoenfeld

**HIGHLINE COMMUNITY COLLEGE DISTRICT No. 9**  
Virginia M. Thacker

**LOWER COLUMBIA COMMUNITY COLLEGE DISTRICT No. 13**  
Mardith A. Korten

**OLYMPIC COMMUNITY COLLEGE DISTRICT No. 3**  
Anne S. Blair      Barbara L. Kusler

**PENINSULA COMMUNITY COLLEGE DISTRICT No. 1**  
Jane G. Hughes

**SHORELINE COMMUNITY COLLEGE DISTRICT No. 7**  
Cherry L. Jarvis

**SKAGIT COMMUNITY COLLEGE DISTRICT No. 4**  
James E. Anderson

**SPOKANE COMMUNITY COLLEGE DISTRICT No. 17**  
Dee McMillan

**TACOMA COMMUNITY COLLEGE DISTRICT No. 22**  
Marliss M. Swayze      Anne M. Wade

**WENATCHEE COMMUNITY COLLEGE DISTRICT No. 15**  
J.H. Jack Blosser

**YAKIMA COMMUNITY COLLEGE DISTRICT No. 16**  
Dan W. Stephens



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## Gubernatorial Appointments Confirmed

---

### STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

Philip S. Hayes

### CORRECTIONS STANDARDS BOARD

Phyllis M. Kenney

### DATA PROCESSING AUTHORITY

Richard A. Stablein

### FOREST PRACTICES APPEALS BOARD

Dennis C. Le Master

### STATE GAME COMMISSION

Jack L. Dierdorff      Norman F. Richardson

### HEALTH CARE FACILITIES AUTHORITY

Ludwig Lobe

### WASHINGTON HORSE RACING COMMISSION

Warren L. Chinn

### INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Silva Bolds      John H. Jessup, Jr.

### STATE JAIL COMMISSION

Henry Beauchamp      Dan Boone  
Larry V. Erickson      R.E. "Ted" Hornibrook  
David S. McEachran

### PERSONNEL APPEALS BOARD

Cameron Sherwood      Walter E. White

### STATE BOARD OF PHARMACY

Joseph J. Thompson

### BOARD OF PILOTAGE COMMISSIONERS

Chester A. Richmond, Jr.

### POLLUTION CONTROL HEARINGS BOARD

Lawrence J. Faulk

### COUNCIL FOR POSTSECONDARY EDUCATION

Cynthia Maisel

### BOARD OF PRISON TERMS AND PAROLES

Karen B. Conoley      George W. Johnson  
Thomas J. Manning      Philip R. Wittman

### PUBLIC DISCLOSURE COMMISSION

Otto Amen      I.A. Tony Weza

### PUBLIC EMPLOYMENT RELATIONS COMMISSION

Mary Ellen Krug

### SENTENCING GUIDELINES COMMISSION

Chief Arthur F. Clifford      Manuel E. Costa  
George A. Finkle      Paul D. Hansen  
Warren Netherland

### BOARD OF TAX APPEALS

Samuel E. Kelly

### STATE TRANSPORTATION COMMISSION

Vaughn Hubbard

### THE EVERGREEN STATE COLLEGE

George E. Mante

### UNIVERSITY OF WASHINGTON BOARD OF REGENTS

Edward E. Carlson      Gordon C. Culp

### WESTERN WASHINGTON UNIVERSITY

James C. Waldo

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1983 LEGISLATIVE OFFICERS AND CAUCUS OFFICERS

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**1983 Regular Session  
of the  
Forty-Eighth Legislature**

**HOUSE OF REPRESENTATIVES**

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**DEMOCRATIC LEADERSHIP**

Wayne Ehlers ..... Speaker  
John L. O'Brien ..... Speaker Pro Tempore  
Dennis L. Heck ..... Majority Leader  
Art Wang ..... Asst. Majority Leader  
Lorraine A. Hine .. Democratic Caucus Chair  
Avery Garrett .. Democratic Caucus Vice Chair  
Donn Charnley ..... Majority Whip  
Janice Niemi ..... Asst. Majority Whip  
Doug Sayan ..... Asst. Majority Whip  
Dean R. Foster ..... Chief Clerk

**REPUBLICAN LEADERSHIP**

Gary A. Nelson ..... Republican Leader  
Doc Hastings ..... Republican Caucus Chair  
Dan McDonald ... Republican Floor Leader  
Gene Struthers ..... Republican Whip  
Bruce Addison . Republican Organization Leader  
Dick Barrett .. Asst. Republican Floor Leader  
Ren Taylor ... Asst. Republican Floor Leader  
Mike Patrick ..... Asst. Republican Whip  
Eugene A. Prince ..... Asst. Republican Whip

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**SENATE**

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**OFFICERS**

John A. Cherberg ..... President  
H.A. "Barney" Goltz ..... President Pro Tempore  
A.L. "Slim" Rasmussen ..... Vice President Pro Tempore  
Sid Snyder ..... Secretary

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**CAUCUS OFFICERS**

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**Democratic Caucus**

R. Ted Bottiger ..... Majority Leader  
George Fleming ..... Caucus Chairman  
A.N. "Bud" Shinpoch ... Assistant Majority Leader  
R. Lorraine Wojahn . Caucus Vice Chairman  
Larry Vognild ..... Majority Whip  
Dianne H. Woody ..... Caucus Secretary

**Republican Caucus**

Jeannette Hayner ..... Republican Leader  
John D. Jones ..... Caucus Chairman  
George W. Clarke . Republican Floor Leader  
Alan Bluechel ..... Republican Whip  
Alex A. Deccio ..... Caucus Vice Chairman  
Irving Newhouse . Asst. Republican Floor Leader  
Hal Zimmerman ..... Assistant Whip

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## Standing Committee Appointments

---

### HOUSE AGRICULTURE

Duane L. Kaiser, Chairman  
Jerry Ellis, Vice Chairman  
Brian Ebersole  
Louis M. Egger  
Shirley A. Galloway  
Charles Moon  
Mike Todd  
Clyde Ballard  
Lyle J. Dickie  
Bruce Holland  
Darwin R. Nealey  
Eugene A. Prince  
Curtis P. Smith

### SENATE AGRICULTURE

Frank "Tub" Hansen, Chairman  
H.A. "Barney" Goltz, Vice Chairman  
Marcus Gaspard  
Scott Barr  
Max E. Benitz  
Irving Newhouse

### HOUSE COMMERCE AND ECONOMIC DEVELOPMENT

Joseph E. King, Chairman  
Joe Tanner, Vice Chairman  
Marlin Appelwick  
Dennis Braddock  
Brian Ebersole  
Jerry Ellis  
Mary Margaret Haugen  
Stuart A. Halsan  
Duane L. Kaiser  
Janice Niemi  
Carolyn Powers  
Bill Smitherman  
Lois Stratton  
George W. Walk  
Bruce Addison  
Richard H. Barrett  
Jean Marie Brough  
Bruce Holland  
Mike Padden  
Karen Schmidt  
Dick Schoon  
B. Jean Silver  
Earl F. Tilly  
Roger Van Dyken  
Bob Williams  
Simeon R. "Sim" Wilson

### SENATE COMMERCE AND LABOR

Larry L. Vognild, Chairman  
R. Lorraine Wojahn, Vice Chairman  
Mike McManus  
Ray Moore  
A.N. "Bud" Shinpoch  
Al Williams  
Ted Haley  
Bob McCaslin  
Irving Newhouse  
J.T. Quigg  
George L. Sellar

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## Standing Committee Appointments

---

### HOUSE CONSTITUTION, ELECTIONS AND ETHICS

Paul Pruitt, Chairman  
Richard E. Fisch, Vice Chairman  
Ruth Fisher  
Ken Jacobsen  
Helen Sommers  
Joe Tanner  
Paul Zellinsky, Sr.  
Richard O. Barnes  
Jeanine H. Long  
Louise Miller  
Michael E. Patrick  
Dick Schoon  
J. Vander Stoep

see SENATE JUDICIARY

### HOUSE EDUCATION

Shirley A. Galloway, Chairman  
Paul H. King, Vice Chairman  
Marlin Appelwick  
Seth Armstrong  
Louis M. Egger  
Mary Margaret Haugen  
Dennis L. Heck  
Oliver Ristuben  
Nancy S. Rust  
Paul Zellinsky, Sr.  
John W. Betrozoff  
Glyn Chandler  
Lyle J. Dickie  
Steve Fuhrman  
Bruce Holland  
Stanley C. Johnson  
Jeanine H. Long  
Dick Schoon  
Ren Taylor

### SENATE EDUCATION

Marcus Gaspard, Chairman  
Albert Bauer, Vice Chairman  
Nita Rinehart, Vice Chairman  
Rick S. Bender  
George Fleming  
H.A. "Barney" Goltz  
Jerry M. Hughes  
James A. McDermott  
Frank Warnke  
Max E. Benitz  
Ellen Craswell  
Sam C. Guess  
Dick Hemstad  
Bill Kiskaddon  
Eleanor Lee  
E.G. "Pat" Patterson  
Peter von Reichbauer

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## Standing Committee Appointments

---

### HOUSE ENERGY AND UTILITIES

Dick Nelson, Chairman  
Mike Todd, Vice Chairman  
Seth Armstrong  
P.J. "Jim" Gallagher  
Ken Jacobsen  
Gary F. Locke  
John Martinis  
Charles Moon  
Paul Pruitt  
Dean A. Sutherland  
Richard O. Barnes  
R.M. "Dick" Bond  
Pat Fiske  
Steve Fuhrman  
Richard "Doc" Hastings  
Ray Isaacson  
Jeanine H. Long  
Louise Miller  
Darwin R. Nealey

### SENATE ENERGY AND UTILITIES

Al Williams, Chairman  
Margaret Hurley, Vice Chairman  
H.A. "Barney" Goltz  
Mike McManus  
Ray Moore  
Max E. Benitz  
W.H. "Bill" Fuller  
Dick Hemstad  
J.T. Quigg

### HOUSE ENVIRONMENTAL AFFAIRS

Nancy S. Rust, Chairman  
Ruth Fisher, Vice Chairman  
Joanne Brekke  
Bill Burns  
Dennis A. Dellwo  
Ken Jacobsen  
Eugene V. Lux  
Paul Pruitt  
Katherine Allen  
Harold Clayton  
Shirley W. Hankins  
Jim Lewis  
Michael E. Patrick  
Roger Van Dyken  
Joseph L. Williams

see SENATE PARKS AND ECOLOGY

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## Standing Committee Appointments

---

### HOUSE FINANCIAL INSTITUTIONS AND INSURANCE

Eugene V. Lux, Chairman  
Paul Zellinsky, Sr., Vice Chairman  
Ernest F. Crane  
Shirley A. Galloway  
Avery Garrett  
Paul H. King  
Mike Kreidler  
Carol Monohon  
Max Vekich, Jr.  
Art Wang  
Clyde Ballard  
Art Broback  
Emilio Cantu  
Lyle J. Dickie  
Shirley W. Hankins  
Stanley C. Johnson  
Paul Sanders  
James E. West

### SENATE FINANCIAL INSTITUTIONS

Ray Moore, Chairman  
Rick S. Bender, Vice Chairman  
R. Ted Bottiger  
Frank Warnke  
R. Lorraine Wojahn  
George W. Clarke  
Alex A. Deccio  
John D. Jones  
George L. Sellar

### HOUSE HIGHER EDUCATION

Bill Burns, Chairman  
Ken Jacobsen, Vice Chairman  
Ernest F. Crane  
Richard King  
Gary F. Locke  
Patrick R. McMullen  
Dick Nelson  
Carolyn Powers  
Dean A. Sutherland  
Joe Tanner  
Katherine Allen  
Richard O. Barnes  
Richard H. Barrett  
Jean Marie Brough  
Dan McDonald  
Louise Miller  
Eugene A. Prince  
B. Jean Silver  
Gene Struthers

### see SENATE EDUCATION

### see HOUSE SOCIAL AND HEALTH SERVICES HOUSE JUDICIARY

### SENATE INSTITUTIONS

Barbara Granlund, Chairman  
Brad Owen, Vice Chairman  
Mike McManus  
Lowell Peterson  
W.H. "Bill" Fuller  
Jack Metcalf  
Kent Pullen

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## Standing Committee Appointments

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### HOUSE JUDICIARY

Seth Armstrong, Chairman  
Patrick R. McMullen, Vice Chairman  
Marlin Appelwick  
Ernest F. Crane  
Dennis A. Dellwo  
Jerry Ellis  
Stuart A. Halsan  
Paul H. King  
Gary F. Locke  
Art Wang  
Bruce Addison  
Emilio Cantu  
Richard "Doc" Hastings  
Jim Lewis  
Gary A. Nelson  
Mike Padden  
Karen Schmidt  
Earl F. Tilly  
James E. West

### SENATE JUDICIARY

Phil Talmadge, Chairman  
Jerry M. Hughes, Vice Chairman  
George Fleming  
Alan Thompson  
Al Williams  
Dianne Woody  
George W. Clarke  
Jeannette Hayner  
Dick Hemstad  
Irving Newhouse

### HOUSE LABOR

Richard King, Chairman  
Jennifer Belcher, Vice Chairman  
Joanne Brekke  
Dennis A. Dellwo  
Richard E. Fisch  
Ruth Fisher  
John L. O'Brien  
Doug Sayan  
John W. Betrozoff  
Glyn Chandler  
Harold Clayton  
Michael E. Patrick  
Curtis P. Smith  
Gene Struthers

see SENATE COMMERCE AND LABOR

---

## Standing Committee Appointments

---

### HOUSE LOCAL GOVERNMENT

Charles Moon, Chairman  
Mary Margaret Haugen, Vice Chairman  
Donn Charnley  
Brian Ebersole  
Louis M. Egger  
Dan Grimm  
Lorraine A. Hine  
Oliver Ristuben  
Bill Smitherman  
Mike Todd  
Katherine Allen  
Clyde Ballard  
Art Broback  
Jean Marie Brough  
Glyn Chandler  
Ray Isaacson  
James B. Mitchell  
Roger Van Dyken

### SENATE LOCAL GOVERNMENT

Alan Thompson, Chairman  
Albert Bauer, Vice Chairman  
Barbara Granlund  
Dianne Woody  
Scott Barr  
Bob McCaslin  
Hal Zimmerman

### HOUSE NATURAL RESOURCES

Lois Stratton, Chairman  
Stuart A. Halsan, Vice Chairman  
Jennifer Belcher  
Mary Margaret Haugen  
Gary F. Locke  
John Martinis  
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Pat Fiske  
Steve Fuhrman  
Ray Isaacson  
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A.N. "Bud" Shinpoch  
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### see HOUSE ENVIRONMENTAL AFFAIRS

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Bruce Addison  
Richard H. Barrett  
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A.N. "Bud" Shinpoch  
R. Lorraine Wojahn  
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George W. Clarke  
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## Standing Committee Appointments

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Nancy S. Rust  
Doug Sayan  
Bill Smitherman  
Bruce Addison  
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Emilio Cantu  
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Richard "Doc" Hastings  
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Emilio Cantu  
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Ren Taylor  
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Bill Smitherman  
Helen Sommers  
Bruce Addison  
R.M. "Dick" Bond  
Emilio Cantu

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## Standing Committee Appointments

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see SENATE WAYS AND MEANS

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Emilio Cantu  
Pat Fiske  
Gene Struthers

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